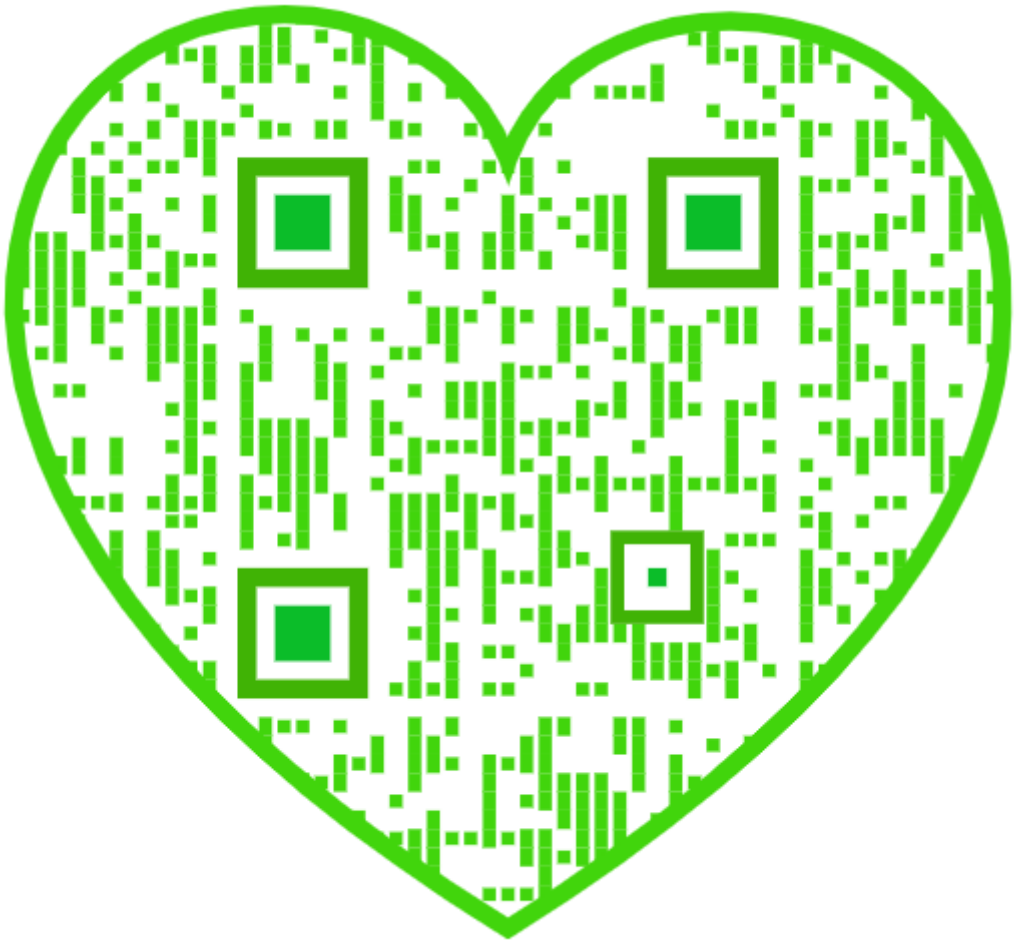


UNIVERSITY of CALIFORNIA
AT
LOS ANGELES
LIBRARY

Digitized by the Internet Archive
in 2007 with funding from
Microsoft Corporation

http://www.archive.org/details/southinbuildingo01soutiala

THE HISTORY

OF THE

SOUTHERN STATES.

Matoaks als Rebeeka daughter to the mighty Prince
Powhatan Emperour of Attanough Komouck als virginia,
converted and baptized in the Christian faith, and
Wife to the Wor.ll Mr Tho. Rolff.

THE SOUTH *in the* Building *of the* Nation

A HISTORY OF THE SOUTHERN STATES DESIGNED *to* RECORD *the* SOUTH'S PART *in the* MAKING *of the* AMERICAN NATION; *to* PORTRAY *the* CHARACTER *and* GENIUS, *to* CHRONICLE *the* ACHIEVEMENTS *and* PROGRESS *and to* ILLUSTRATE *the* LIFE *and* TRADITIONS *of the* SOUTHERN PEOPLE

POCAHONTAS.

VOLUME I

The SOUTHERN PUBLICATION SOCIETY
RICHMOND, VIRGINIA

UNIV. OF CALIFORNIA
LOS ANGELES LIBRARY

THE SOUTH *in the* Building *of the* Nation

A HISTORY OF THE SOUTHERN STATES DESIGNED *to* RECORD *the* SOUTH'S PART *in the* MAKING *of the* AMERICAN NATION; *to* PORTRAY *the* CHARACTER *and* GENIUS, *to* CHRONICLE *the* ACHIEVEMENTS *and* PROGRESS *and to* ILLUSTRATE *the* LIFE *and* TRADITIONS *of the* SOUTHERN PEOPLE

VOLUME I

The SOUTHERN HISTORICAL PUBLICATION SOCIETY
RICHMOND, VIRGINIA

119923

COPYRIGHT, 1909
BY
THE SOUTHERN HISTORICAL PUBLICATION SOCIETY

F209
S72
v. 1

EDITORS-IN-CHIEF

I—History of the States

JULIAN ALVIN CARROLL CHANDLER, Ph.D., LL.D.
Professor of History, Richmond College

II—The Political History

FRANKLIN LAFAYETTE RILEY, A.M., Ph.D.
Professor of History, University of Mississippi

III—The Economic History

JAMES CURTIS BALLAGH, Ph.D., LL.D.
Associate Professor of American History
Johns Hopkins University

IV—The Literary and Intellectual Life

JOHN BELL HENNEMAN, M.A., Ph.D.
Professor of English Literature, University of the South

V—Fiction

EDWIN MIMS
Professor of English, University of North Carolina

VI—Oratory

Hon. THOMAS E. WATSON
Author of "Life of Thomas Jefferson,"
"Life of Napoleon," etc.

VII—The Social Life

SAMUEL CHILES MITCHELL, Ph.D., LL.D., D.D.
President of the University of South Carolina

VIII—Biography

WALTER LYNWOOD FLEMING, A.M., Ph.D.
Professor of History, Louisiana State University

History *of the* Southern States

VOLUMES I, II AND III

CONTRIBUTORS

THE BEGINNINGS OF VIRGINIA, 1584-1624

J. A. C. CHANDLER, Ph.D., LL.D., Professor of History, Richmond College; Editor *The Virginia Journal of Education.*

VIRGINIA AS A ROYAL PROVINCE, 1624-1763

LYON GARDINER TYLER, LL.D., President of William and Mary College, Williamsburg, Va.; author of *Cradle of the Republic,* etc.

THE SOCIAL AND ECONOMIC LIFE OF VIRGINIA IN THE SEVENTEENTH CENTURY

PHILIP ALEXANDER BRUCE, LL.B., author *Economic History of Virginia in the Seventeenth Century;* Formerly Corresponding Secretary of Virginia Historical Society.

FROM COLONY TO COMMONWEALTH, 1763-1776

SAMUEL CHILES MITCHELL, Ph.D., LL.D., D.D., President of the University of South Carolina.

THE COMMONWEALTH OF VIRGINIA, 1776-1861

JOHN HOLLADAY LATANÉ, A.B., Ph.D., Professor of History, Washington and Lee University, Lexington, Va.; author of *Early Relations of Virginia and Maryland,* etc.

VIRGINIA IN THE CONFEDERACY, 1861-1865

MAJOR R. W. HUNTER, Secretary of Military Records, The Capitol, Richmond, Va.

VIRGINIA IN THE NEW NATION, 1865 TO THE PRESENT TIME

J. P. McCONNELL, M.A., Ph.D., Professor of History and Political Science, Emory and Henry College, Emory, Va.

THE COLONY OF MARYLAND, 1632-1776

BERNARD CHRISTIAN STEINER, Ph.D., LL.B., Librarian The Enoch Pratt Free Library, Baltimore, Md.; author of *The Beginnings of Maryland,* etc.

MARYLAND FROM 1776 TO 1868

WILLIAM HAND BROWNE, Professor of English Literature, Johns Hopkins University, Baltimore, Md.; author of *Maryland, The History of a Palatinate,* etc.

MARYLAND FROM 1865 TO THE PRESENT TIME

BERNARD CHRISTIAN STEINER, Ph.D., LL.B., Librarian The Enoch Pratt Free Library, Baltimore, Md.

KENTUCKY A PART OF VIRGINIA

GEN. BASIL W. DUKE, author of *The History of Morgan's Cavalry,* Louisville, Ky.

KENTUCKY FROM 1792 TO 1865

JOSIAH STODDARD JOHNSTON, Formerly Associate Editor *Louisville Courier Journal;* author of *Confederate History of Kentucky.*

CONTRIBUTORS.

KENTUCKY IN THE NEW NATION, 1865 TO THE PRESENT TIME

GEORGE ALLEN HUBBELL, A.M., Ph.D., Professor of Sociology and Economics, Kentucky University.

WEST VIRGINIA—WHILE THE TWO VIRGINIAS WERE ONE, 1750-1861

VIRGIL A. LEWIS, State Historian and Archivist, Department of Archives and History, Charleston, W. Va.

STEPS TO STATEHOOD, 1861-1863

WILLIAM P. WILLEY, A.B., A.M., Professor of Equity Jurisprudence and Commercial Law, West Virginia University.

THE STATE OF WEST VIRGINIA, 1863 TO THE PRESENT TIME

JAMES MORTON CALLAHAN, A.M., Ph.D., Professor of History and Political Science, West Virginia University, Morgantown, W. Va.

NORTH CAROLINA AS A PROPRIETARY

R. D. W. CONNOR, Secretary of North Carolina Historical Commission, Raleigh, N. C.

NORTH CAROLINA AS A ROYAL PROVINCE, 1729-1776

ENOCH WALTER SIKES, M.A., Ph.D., Professor of Political Science, Wake Forest College, Wake Forest, N. C.

NORTH CAROLINA, 1775-1861

WILLIAM KENNETH BOYD, A.M., Ph.D., Professor of History, Trinity College, Durham, N. C.

NORTH CAROLINA IN THE CONFEDERACY, 1861-1865

HON. WALTER CLARK, LL.D., Chief Justice Supreme Court, Raleigh, N. C.

NORTH CAROLINA FROM 1865 TO THE PRESENT TIME

J. G. DE ROULHAC HAMILTON, Ph.D., Alumni Professor of History, University of North Carolina, Chapel Hill, N. C.

SOUTH CAROLINA FROM 1562 TO 1789

HENRY ALEXANDER WHITE, Ph.D., D.D., Professor in Columbia Theological Seminary, Columbia, S. C.; author of *The Making of South Carolina.*

SOUTH CAROLINA A STATE IN THE FEDERAL UNION, 1789-1860

DAVID DUNCAN WALLACE, A.M., Ph.D., Professor of History and Economics, Wofford College, Spartanburg, S. C.

SOUTH CAROLINA IN THE CONFEDERACY, 1860-1865

W. E. GONZALES, Editor of *The State,* Columbia, S. C.

THE NEW SOUTH CAROLINA, 1865 TO THE PRESENT TIME

WILLIAM SHANNON MORRISON, A.B., Professor of History and Political Economy, Clemson College.

THE COLONY OF GEORGIA, 1732-1776

WILLIAM HARDEN, Librarian Savannah Public Library, and Georgia Historical Society.

GEORGIA IN THE FEDERAL UNION, 1776-1861

ULRICH BONNELL PHILLIPS, Ph.D., Professor of History, Tulane University, New Orleans, La.

GEORGIA IN THE CONFEDERACY, 1861-1865

JOSEPH T. DERRY, A.M., author of *Military History of Georgia.*

GEORGIA IN THE NEW NATION, 1865 TO THE PRESENT TIME

LAWTON B. EVANS, A.M., Superintendent of Schools, Augusta, Ga.

CONTRIBUTORS.

COLONIAL AND TERRITORIAL ALABAMA, 1540-1819

PETER JOSEPH HAMILTON, author of *Colonization of the South, Reconstruction,* etc., Mobile, Ala.

ALABAMA FROM 1819 TO 1865

GEORGE PETRIE, M.A., Ph.D., Professor of History and Latin, Alabama Polytechnic Institute, Auburn, Ala.

RECONSTRUCTION IN ALABAMA, 1866-1880

WALTER LYNWOOD FLEMING, A.M., Ph.D., Professor of History, Louisana State University, Baton Rouge, La.; author of *Civil War and Reconstruction in Alabama.*

THE NEW ALABAMA, 1880 TO THE PRESENT TIME

WILLIAM O. SCROGGS, A.M., Assistant Professor of History, Louisiana State University.

COLONIAL AND TERRITORIAL MISSISSIPPI, 1699-1817

PETER JOSEPH HAMILTON, author of *Colonization of the South, Reconstruction,* etc., Mobile, Ala.

MISSISSIPPI A STATE IN THE UNION, 1817-1861

DUNBAR ROWLAND, B.S., LL.B., Director Department of Archives and History, Jackson, Miss.; author of *Mississippi Official and Statistical Register.*

MISSISSIPPI IN THE CONFEDERACY, 1861-1865

FRANKLIN LAFAYETTE RILEY, A.M., Ph.D., Professor of History, University of Mississippi, University, Miss.

MISSISSIPPI A PART OF THE NATION, 1865 TO THE PRESENT TIME

DUNBAR ROWLAND, B.S., LL.B., LL.D., Director Department of Archives and History, Jackson, Miss., etc.

COLONIAL AND TERRITORIAL TENNESSEE

WALKER KENNEDY, Editor of the *Commercial Appeal,* Memphis, Tenn.

TENNESSEE AS A STATE, 1796-1861

JAMES DICKASON HOSKINS, B.S., A.M., LL.B., Professor of History and Economics, University of Tennessee, Knoxville, Tenn.

TENNESSEE A PART OF THE CONFEDERACY, 1861-1865

JAMES DICKASON HOSKINS, B.S., A.M., LL.B., Professor of History and Economics, University of Tennessee.

TENNESSEE FROM 1865 TO THE PRESENT TIME

CAREY A. FOLK, Assistant Treasurer State of Tennessee.

FLORIDA FROM 1512 TO 1819

DEWITT WEBB, M.D., LL.D., Secretary of Florida Historical Society, St. Augustine, Fla.

FLORIDA, 1819 TO 1861

ANDREW SLEDD, Ph.D., LL.D., President University of the State of Florida, Gainesville, Fla.

FLORIDA FROM 1861 TO THE PRESENT TIME

CHARLES H. SMITH, Formerly Secretary Board of Trade, Jacksonville, Fla.

LOUISIANA UNDER FRENCH AND SPANISH CONTROL, 1528-1803

WILLIAM BEER, Librarian Howard Memorial Library, New Orleans, La.

TERRITORY OF ORLEANS, 1803-1812

HENRY EDWARD CHAMBERS, Professor of English, New Orleans Boys' High School, New Orleans, La.

CONTRIBUTORS.

LOUISIANA IN THE FEDERAL GOVERNMENT, 1812-1861

PIERCE BUTLER, Ph.D., Professor of English, H. Sophie Newcomb Memorial College, New Orleans, La.

LOUISIANA IN THE CONFEDERACY AND RECONSTRUCTION, 1861-1877

WALTER L. FLEMING, A.M., Ph.D., Professor of History, Louisiana State University.

MODERN LOUISIANA, 1876 TO THE PRESENT TIME

HENRY EDWARD CHAMBERS, Professor of English, New Orleans Boys' High School.

MISSOURI FROM 1682 TO 1804

JONAS VILES, A.M., Ph.D., Professor of American History, University of Missouri, Columbia, Mo.

THE TERRITORIAL PERIOD OF MISSOURI, 1804-1820

JONAS VILES, A.M., Ph.D., Professor of American History, University of Missouri.

MISSOURI FROM 1820 TO 1865

HON. CHAMP CLARK, Member of Congress from Missouri, Bowling Green, Mo.

MISSOURI FROM 1865 TO THE PRESENT TIME

WALTER WILLIAMS, LL.D., Dean of the Department of Journalism and Professor of the History and Principles of Journalism in the University of Missouri; editor of the *State of Missouri.*

ARKANSAS FROM 1539 TO 1836

JOHN HUGH REYNOLDS, A.B., A.M., Professor of History and Political Science, University of Arkansas, Fayetteville, Ark.

ARKANSAS, 1836-1861

FAY HEMPSTEAD, author of *Hempstead's History of Arkansas,* Little Rock, Ark.

ARKANSAS FROM 1861 TO THE PRESENT TIME

FAY HEMPSTEAD, author of *Hempstead's History of Arkansas,* Little Rock, Ark.

TEXAS A PART OF MEXICO

CHARLES WOODWARD HUTSON, Member American Historical Association, formerly Professor in A. and M. College, College Station, Tex.

TEXAS AS A REPUBLIC

EUGENE CAMPBELL BARKER, B.A., M.A., Instructor in History, University of Texas; co-editor *With the Makers of Texas.*

TEXAS IN THE FEDERAL UNION, 1845-1861

SAMUEL PALMER BROOKS, A.B., A.M., LL.D., President Baylor University, Waco, Tex.

TEXAS IN THE CONFEDERACY, 1861-1865

CHARLES WILLIAM RAMSDELL, B.A., M.A., Instructor in History, University of Texas; Corresponding Secretary of Texas State Historical Association.

TEXAS IN THE NEW NATION, 1865 TO THE PRESENT TIME

CHARLES WILLIAM RAMSDELL, B.A., M.A., Instructor in History, University of Texas.

CONTENTS OF VOLUME I.

VIRGINIA.

CHAPTER I.—THE BEGINNINGS OF VIRGINIA, 1584-1624.

Page.

Early English Exploration 1
The Roanoke Colony 3
Steps to Permanent Settlement 8
The London Company Charter 9
Settlement at Jamestown 11
The London Company Reorganized 14
The First American Legislative Assembly 17
Charter of London Company Annulled 19

CHAPTER II.—VIRGINIA AS A ROYAL PROVINCE, 1624-1763.

Government of the Royal Province of Virginia 23
Claiborne's Struggle for Territorial Integrity 24
Commonwealth Period in Virginia 27
Bacon's Rebellion 29
The English Revolution Ushers in a New Era 34
Western Movement and Settlements 36
Intercolonial Affairs and Indian Wars 39
Social Conditions, 1760 44

CHAPTER III.—THE ECONOMIC AND SOCIAL LIFE OF VIRGINIA IN THE SEVENTEENTH CENTURY.

The Plantation System 46
The Two Classes of Labor 50
Proportion of Criminals 52
Frequency of Change 54
The Superiority of Slave Labor 55
Social Life Under the Plantation System 58
The Origin of the Planting Class 60
Social Organization 62
Class Distinctions 62
Virginians and the Mother Country 64
The Home Life 65
The Diversions of the People 68

CHAPTER IV.—FROM COLONY TO COMMONWEALTH, 1763-1776.

Virginia's Opposition to Boston Port Bill 76
The First Convention, 1774 78
The Second Convention, 1775 80
The Last House of Burgesses 82
The Third Convention, 1775 85
War with Dunmore 86
The Fourth Convention, 1775 87
The Fifth Convention, 1776: Adoption of a Constitution 88

CONTENTS.

CHAPTER V.—THE COMMONWEALTH OF VIRGINIA, 1776-1861.

Page.

Virginia Troops in the Revolution 90
The Virginia Navy of the Revolution 97
Conquest and Cession of the Northwest Territory 99
The Adoption of the Constitution of the United States 102
Resolutions of 1798-1799 104
Internal Improvements and the State Debt 106
State Sectionalism 107
Slavery 110
Secession 111

CHAPTER VI.—VIRGINIA IN THE CONFEDERACY, 1861-1865.

Virginia's Unwillingness to Leave the Union 113
Virginia Secedes 117
Virginia's Army 119
Virginia's Contribution to the Confederate Armies 121
Conclusion 125

CHAPTER VII.—VIRGINIA IN THE NEW NATION, 1865-1909.

Reconstruction and Readmission into the Union 127
The State Debt 133
Political Conditions 135
Universal Education 137
New Industries and Wealth of State 141
Contrast of Old and New Economic and Social Conditions 144

MARYLAND.

CHAPTER I.—THE PROVINCE OF MARYLAND, 1608-1776.

Geography of Maryland 149
Lord Baltimore's Grant 150
Religious Toleration 153
Settlement of Maryland 155
Government of the Province 156
Maryland, 1654-1676 160
Relations with Penn 164
Internal Disturbances 165
Annapolis and the Church Establishment 166
The Proprietors from 1715 to 1776 168
Maryland, 1765 to 1776 173

CHAPTER II.—MARYLAND FROM 1776 TO 1868.

Steps to the Revolution 178
Maryland an Independent State 180
Maryland's Part in Forming the United States 182
Maryland's Part in the Revolutionary War 184
Maryland's Condition at Close of the Revolutionary War 186
James Rumsey 188
Maryland's Part in the Formation of the United States Constitution 188
Maryland's Part in the War of 1812 190
Growth of Industries, 1815-1860 194
Slavery in Maryland 196
Political Parties 197
State Convention, 1837 198
Work of George Peabody 198
Slavery a Political Issue 199
Maryland in the War of Secession 202
Political Conditions During the War 206
Constitution of 1864 207
Maryland at the Close of the War 208

CHAPTER III.—HISTORY OF MARYLAND FROM 1865 TO 1909.

Political Condition at Close of War 210
Constitution of 1867 215
Noteworthy Events, 1868-1908 217
Industrial Growth 226
Progress in Education, Etc 228
Religion 234

CONTENTS.

KENTUCKY.

CHAPTER I.—KENTUCKY A PART OF VIRGINIA, 1606-1792.

Page.

Finding of Kentucky 236
Settlement of Kentucky 241
Kentucky a County in Virginia 247
Kentucky's Part in the Revolutionary War 249
Steps to Statehood 254

CHAPTER II.—KENTUCKY FROM 1792 TO 1865.

Steps to Statehood 259
The Constitutional History of Kentucky 264
The First Constitution 265
The Second Constitution 267
The Third and Fourth Constitutions 268
The Resolutions of '98 270
The School System 272
Early Military History of Kentucky 274
The War of 1812 278
Battle of New Orleans 283
The Mexican War 284
The War of Secession 287
Provisional Government of Kentucky 296
The Return of Peace 298
Mountain Feuds 299

CHAPTER III.—KENTUCKY IN THE NEW NATION, 1865-1909.

Conditions at the Close of the War of Secession 304
Interpretation of the Constitution and Abolition of Slavery 307
Peace and Development 309
The Period of Apathy 311
A New Awakening 313
The Negro To-day 314
The Mountain Region 315
Moral and Religious Growth 316
The Era of Progress 317
The Goebel Trial 322
Agricultural and Mineral Products 325
The New Social Consciousness 326
Educational Conditions 329
Conclusion 331

WEST VIRGINIA.

CHAPTER I.—WHILE THE TWO VIRGINIAS WERE ONE, 1750-1861.

Geography of West Virginia 333
Early Explorations 334
Settlements Before 1754 336
Wars with Indians 339
Settlements, 1760-1776 341
More Indian Wars: Battle of Point Pleasant 345
West Virginia in the Revolution 347
Development After Revolution 350
Western Virginia in the War of 1812 353
Fight for Democratic Government 357
Western Virginia from 1830 to 1860 359

CHAPTER II.—STEPS TO STATEHOOD, 1861-1863.

The Two Virginias Before Divorce 365
Steps Leading to the "Parting of the Ways" 368
Reorganizing the Virginia Government 375
The Restored Government of Virginia in Operation 377
The New State Issue in Congress 380
President Lincoln Starts the Machinery of the New State 382

CHAPTER III.—WEST VIRGINIA, 1863-1909.

West Virginia's Part in the War of Secession 385
Politics and Political Issues 385
Industrial Progress 398
Population and Material Wealth 401
Education 404
Interstate Relations 407

CONTENTS.

NORTH CAROLINA.

CHAPTER I.—NORTH CAROLINA AS A PROPRIETARY, 1587-1728.

Page.

Settlers from Virginia 413
Cape Fear Region 418
The Proprietary 420
Government 421
Character of the Governors 425
The People 426
Rebellions 427
Church of England Established 430
North Carolina and South Carolina Separate 433
Trouble with Indians 433
Pirates 435
Boundary Between North Carolina and Virginia 437
Proprietary Abolished 437
Conclusion 438

CHAPTER II.—NORTH CAROLINA A ROYAL PROVINCE, 1729-1776.

Condition from 1729 to 1752 441
Expansion of the Province, 1752-1765 444
Religious Conditions 445
Land Grants 446
French and Indian Wars 447
William Tryon and the War of the Regulation, 1765-1771 449
Regulators 452
The End of the Provincial Period 457

CHAPTER III.—NORTH CAROLINA, 1775-1861.

Governor Martin's Administration 462
Provincial Congress 465
An Independent State 466
North Carolina in the Revolutionary War 469
North Carolina's Attitude Toward the Federal Constitution 471
Domestic Affairs 473
New Constitution 474
Whig Ascendency 475
Internal Improvements 476
Charities 477
Whigs Defeated 477
Slavery 478
Secession 481

CHAPTER IV.—NORTH CAROLINA IN THE CONFEDERACY, 1861-1865.

North Carolina Joins the Confederacy 483
Preparing for War 484
Governor Vance 487
The War in 1861 487
The War in 1862 489
The War in 1863 491
The War in 1864 492
The War in 1865 493
Conclusion 494

CHAPTER V.—NORTH CAROLINA FROM 1865 TO THE PRESENT TIME.

Reconstruction 497
Johnson's Plan of Reorganization; Governor Holden 498
Governor Worth 499
New Constitution 501
Reconstruction Acts 501
Constitutional Convention 502
Legislature of 1868 504
Ku Klux Klan in North Carolina 504
End of Reconstruction Period 506
State Politics Since 1876 507
Development of Governmental Activity 510
Educational Development 512
Economic Development 514

EDITORS' PREFACE.

THE widespread interest in Southern history and the demand for a comprehensive and authoritative work on the subject account for the appearance of this series. It has been planned with the double purpose of presenting in brief compass the separate histories of the Southern States and of treating, in a satisfactory way, the wider relations—interstate, intersectional and federal—as well as the economic and social conditions of the South, which have never received full treatment at the hands of historians.

The multiplication of detached works on state history and the publication, by local and state organizations, of valuable archives and monographs have made the historical literature of the separate states too extensive for the use of the general reader, and have at the same time emphasized the need of combining in one series the results of recent investigations in the various fields considered. Since it was not intended that the volumes devoted to state history, any more than the others, should be a mere compilation from histories already published, this part of the work also has been done by scholars whose independent researches give ample assurance of the originality and authenticity of their contributions.

The editors believe that, in attempting the more difficult and important task of providing for a general history of the South, they may, without presumption, lay claim to a larger aim than is represented by former works in this field. Until the present time, the meagreness and inaccessibility of the necessary sources have, in great measure, re-

stricted the efforts of Southern historians to their respective states. Since this method of work minimizes and often ignores entirely those developments which are not confined by state limits and which are consequently far-reaching in their effects, it has produced an unfortunate result from the standpoint of the general historian. It is believed, too, that recent historical activity respecting the South has now provided facilities which render possible the investigation of topics relating to the entire section without relying wholly upon secondary authorities, which have been prepared principally from a local point of view.

It was evident to the editors that the proper execution of their task, within a brief time, would require a judicious division of labor, and they began their work in the confident belief that its importance would enlist the active coöperation of scholars in every part of the South. Each member of the editorial staff prepared a detailed outline of the subjects to be treated in his department, being careful to avoid trespassing upon the work of other departments and at the same time so to coördinate the subject matter as to provide in the series for an adequate treatment of every important phase of Southern history. Assignments were then made with the greatest care, contributors being chosen who were in a position to write authoritatively upon their respective subjects.

The pages of this series have not been burdened with footnotes, this omission being supplied by the insertion of a working bibliography at the end of each chapter. No effort has been made, however, to reproduce elaborate lists of obsolete works which, although familiar to the contributors, would be inaccessible to the general reader.

The title of the series, THE SOUTH IN THE BUILDING OF THE NATION, indicates the general point of view from which the work has been planned and executed. Owing to peculiar conditions the South was, and to some extent still is, a sort of political and economic unit—a definite section—with an interrelated and separate history, special problems and distinct life. It has been attempted, without disparagement to other sections, to provide for a judicious and unimpassioned account of the important and honorable part the South has contributed to the history and wealth of the Nation.

Since it is the function of the historian not only to narrate facts but to interpret them, the writers have been selected from scholars who, because of their thorough familiarity with the historic traditions, sentiments and facts of the South, are best qualified to write its history. Through their intimate knowledge of and contact with the South, it is believed that the contributors of these volumes have had a special preparation for the work which they have undertaken.

In conclusion, the editors acknowledge with pleasure their indebtedness to the many writers, too numerous to mention separately in this connection, whose hearty coöperation and scholarly work have assured the success of the enterprise.

THE EDITORS.

EDITOR'S PREFACE TO THE HISTORY OF THE STATES.

THREE volumes in this series have been devoted to the history of the states told separately. The writing of the history of each state has been assigned to several writers, men who are recognized in their respective states as authorities on periods which they treat. The desire has been to have a somewhat encyclopædic account but not a dry chronological statement of facts. The result, therefore, is that the essays in these three volumes show much individuality and represent many view-points.

In these volumes will be found a treatment of fifteen states, the eleven states which organized the "Confederate States of America," the three border states of Maryland, Kentucky and Missouri and the state of West Virginia which was carved out of Virginia during the War of Secession.

The order of arrangement of the histories of the states in these volumes is as follows:

I. Virginia and the states formed from her original territory: Maryland, Kentucky, West Virginia, North Carolina, South Carolina and Tennessee.

II. Georgia and the states formed from its original territory: Alabama and Mississippi.

III. Florida, which, though it contains the oldest town in the United States, is not treated in its historical order since it did not become a part of the United States till 1819, but is placed after the Georgia group on account of its proximity.

IV. The states west of the Mississippi River in the order of their admission to the Union.

A list of the governors of the states and other matter will be found at the end of Volume III.

J. A. C. C.

INTRODUCTORY OUTLINE TO THE HISTORY OF THE STATES.

The South Misunderstood.

SOME years ago, Dr. Thomas Nelson Page delivered an address on "The Want of a History of the Southern People." In this address he said:

"There is no true history of the South. In a few years there will be no South to demand a history. What of our history is known by the world to-day? What is our position in history? How are we regarded? Nothing or next to nothing is known of our true history by the world at large. By a limited class in England there is a vague belief founded on a sentiment that the South was the aristocratic section of this country, and that it stood for its rights, even with an indefensible cause. By a somewhat more extended class its heroism is admired sufficiently to partly condone its heresies. But these are a small part of the public. By the world at large we are held to have been an ignorant, illiterate, cruel, semi-barbarous section of the American people, sunk in brutality and vice, who have contributed nothing to the advancement of mankind; a race of slave-drivers, who, to perpetuate human slavery, conspired to destroy the Union, and plunged the country into war. Of this war, precipitated by ourselves, two salient facts are known—that in it we were whipped, and that we treated our prisoners with barbarity. Libby Prison and Andersonville have become bywords which fill the world with horror. Why should this be, when the real fact is that Libby was the best lighted and ventilated prison on either side; when the horrors of Andersonville were greatly due to the terrible refusal of the Northern government to exchange prisoners or to send medicines to their sick; when the prisoners there fared as well as our men in the field, and when the treatment of Southern prisoners in Northern prisons was as bad if not worse, and the rate of mortality was as great there as in ours?"

Much of what Dr. Page has said is correct. No true history of the South has been written. The South has been greatly misrepresented because her history has not been given fully to the world. But the feeling which existed a few years ago with reference to the South is fast disappearing and the other sections of this country as well as the world at large

are realizing that the South is not such a section as she has been represented to be. More and more the historians are studying Southern conditions and learning that the Southern people have figured in more ways than one in the history of America. Slavery was an institution which flourished and grew chiefly in the South, and since the only struggle in America between the states resulted in the extinction of that institution, the first thought in the mind of a Northern man when the South is mentioned is the institution of slavery. But as Southern life and Southern conditions are studied, historians are beginning to associate the South with other events in American history, and with institutional development other than slavery. Much of the investigation in Southern history, which of recent years has been going on, has been made not by Southern writers but by men of the North, who in many instances have faithfully and consistently tried to be fair, but who, because they have not been reared under Southern conditions, have been biased by the environments of their youth and by their residence without being aware of the fact. Notable among the writers who have given prominence to Southern life and history are Rhodes, Fiske, and Albert Bushnell Hart. The latter two, connected with the great Harvard University have endeavored to present fairly Southern conditions, but neither has been able to view the life of the South through the same glasses as a Southerner.

Need of a History of the South.

The time is, therefore, ripe for the production of a comprehensive, broad and scholarly work by Southern writers. Such a work must cover much untraveled territory and new sources of material, and necessarily cannot be all-inclusive or entirely ac-

curate, but in its general concept will be true to the South, showing its influence in the building of the nation, with harshness and bitterness eliminated. Such a work should turn the eyes of Southerners to a more careful study of their own history, and should likewise rectify the misconceptions of many Northerners, placing the South in its true position with reference to the rest of the nation. The need of the presentation of the history of the South is seen on every hand. School children in all parts of the country know of the *Mayflower,* but few know of the *Discovery,* the *Godspeed* and the *Susan Constant.* The relative importance of Virginia and Massachusetts in colonial days is rarely fully appreciated, and few will remember that Virginia was a colony of eleven plantations with a Representative Assembly making laws for the government of the Colony, planning for a college, asserting the rights of British subjects before the Pilgrims had landed at Plymouth. Few also recall the impetus given by the Virginia colony to colonial enterprise resulting in the establishment of other American colonies and the development of the English colonial empire. Few really recall the fact that the Pilgrims who sailed in the *Mayflower* were searching for Virginia but were unexpectedly driven to the bleak coasts of New England. This is not in any way intended to detract from New England's influence in the development of the nation, but it is the duty of a Southerner as well as the duty of a New Englander to preserve the history of his own particular locality and to give that locality its proper relation to the history of the entire country. The local history of New England as well as its relation to the nation has been in many ways thoroughly written. The South must do likewise with its history, but to the present time only one phase—that which looked to

the disruption of the Union—has been written,—and that in voluminous works.

In writing the history of the South a number of elements must be taken into consideration. First, it is necessary to think of the states in their individual capacity. Each has in some ways a peculiar life and a peculiar development which must be recognized in the portrayal of its life as a whole. A comprehensive and general treatment, therefore, of each state should be made. Moreover, the relation of one Southern state to another, and finally the relation of the Southern states to the Federal government, both individually and as units, must come under the eye of the historian. In other words, we believe that there should be a history of the Southern states individually, succeeded by a comprehensive treatment of the political, economic and social history of the states in their relations to each other and to the nation. In such a history some states should be considered that were not members of the Southern Confederacy, but which owe their development to the South, such, for instance, as the border states of Maryland, Kentucky, West Virginia and Missouri. Maryland is essentially Southern, while West Virginia and Kentucky owe their origin to Virginians. This might also be said of Missouri, which owes its growth to Southerners. In such a work there should also be sketches of the lives and accomplishments of the statesmen who have figured so prominently in the movements that have produced our growth in territory and wealth, and have made ours the greatest government on the earth.

South Settled Under Conditions Different from Those of New England.

The question may be asked: "What are the essential facts of Southern History?" This question can-

not be easily answered because of the multiplicity of important events and the lack of knowledge of many events which have transpired in various sections of the South. A full appreciation of the South in history, however, means some appreciation of its colonial life. In the latter part of the Sixteenth century, Elizabethan England was budding into a commercial nation. Trading companies had been organized in Holland, Scotland, Germany, France and even Russia for trade and commerce, chiefly with the East. England turned her eyes also to the Orient but more particularly to the Occident. The phenomenal growth of Spain, due to the wealth secured from South American and Central American countries and the West Indies, excited the envy of English statesmen and merchant sailors. Moreover, the difference in religion between Spain and England, as well as other political causes, produced friction. The outcome was that the English turned their eyes toward America with the hope of securing wealth by means of commerce and colonization, and at the same time with the desire of checking the Spanish empire in its progress and its acquisition of all the western hemisphere. These mingled purposes resulted in attempted settlements first in Newfoundland, and later, under Sir Walter Raleigh, in the present state of North Carolina. Lack of proper organization and failure to ascertain conditions prior to the establishment of a colony, caused the abandonment of Raleigh's Roanoke settlement. With the success, however, of the East India Company chartered by Queen Elizabeth, the determination of the British to again attempt to colonize America resulted in the chartering by James I. of the Virginia Company in two divisions, the London and Plymouth Companies, both of which were commercial enterprises not unlike the East India Company in plan and scope. A

successful colony was planted in Virginia on James River in 1607. The first result of American communism there inaugurated was a failure, and never since have communistic settlements proved successful in the new world. Individual ownership of property and the final overthrow of the company itself followed, but the good work of the company in establishing representative government was left as a monument to its efforts. The rapid growth of Virginia under representative government was a stimulus to other schemes of colonization in the nature of proprietaries, resulting in the planting of Maryland in 1634 as an individual proprietary under Lord Baltimore, and the planting of the Carolinas as a partnership proprietary in 1663 under eight Lords Proprietors. Both Maryland and the Carolinas were carved out of territory originally granted to Virginia in her charter and were settled for like purposes, the chief one being the development of English commerce.

Quite different was New England, which, taken all in all, developed from the settling in the new world of men fleeing from religious persecutions, dissenters or would-be dissenters coming to America to establish permanent homes and a government or governments of a semi-theocratic order. Such was the Plymouth Colony of 1620, the Massachusetts Bay Colony of 1628, the New Haven Colony of 1638, while Connecticut, settled in 1634, and Rhode Island, in 1636, were but colonies of dissenters from dissenters. In the early planting of the colonies of the South, no such condition was seen save in Maryland where the first Lord Baltimore, when he applied for a grant of land in the new world, undoubtedly was thinking more of a haven for Catholics than a colony for his own enrichment. The later proprietors, however, were considering their private interests to a much

greater extent than the question of any religious impulse. One of the fundamental facts, therefore, of American history is that from the very beginning there was a wide divergence between the Northern and Southern colonists in purpose and spirit. The Northerners were home-seekers and English discontents; the Southerners were money-seekers, in touch and sympathy with the home government, and with them naturally came a number of adventurers. Between these Southern colonies and the New England colonies, the English later established other colonies, New York settled by the Dutch in 1614 being conquered in 1664 in order that the English might control the Atlantic coast, while New Jersey and Pennsylvania were settled partly for private gain and partly for religious reasons; for to William Penn, a mixture of the shrewd business man and a devout Quaker preacher, we owe more than to anyone else the settlement by the English of the colonies which have grown into the three states New Jersey, Pennsylvania and Delaware.

The Spirit of Expansion.

It should also be noted that the life of the South was extensive, wandering, roving, expansive; while the tendency of New England was intensive. Climatic conditions and the resulting natural pursuits of life had much to do with this fact of Southern history. Cold New England was not suited to agricultural pursuits and the people were forced into towns to devote themselves to small industries and to seafaring. The Southern people lived apart, the lands being fertile and profitable, and after the first ten years of communism in Virginia, it was seen that to succeed the colony must encourage agriculture. Hence we find that, though the population rapidly increased in the Southern colonies, the new

settlers moved constantly westward, and the density of the poulation changed but slightly, while in the New England colonies the density of population was constantly growing. The expansive spirit of the Virginians and the Carolinians resulted in the settlement of Tennessee and Kentucky just before the Revolutionary War and in the seizure of the great Northwest Territory by Virginia troops during the struggle against England. As a matter of fact, Virginians had before the Revolution partly occupied and claimed all of the Northwest Territory from which have been carved the five splendid states of Ohio, Indiana, Illinois, Michigan and Wisconsin. This western movement on the part of the English in North America began with the Eighteenth century in the Southern colonies, notably Virginia, and was aided somewhat by migrations from Pennsylvania. But, generally speaking, it is due to the South even in colonial days that the English showed their expansive tendencies in America. The exploring expedition of Alexander Spotswood in 1716 into the Shenandoah Valley, the expulsion of the Tuscaroras from the Carolinas resulting in the western movement there, the settlement of the Watauga District, the migration of some Virginians to lands along the head waters of the Ohio and the occupancy of Kentucky by Daniel Boone were but indications of the Southerners' desire for more land,—a desire that led George Rogers Clark into the Northwest Territory, that caused the acquisition of Louisiana, and finally the annexation of Texas. In not one of these movements could New England be considered a part.

The Government of Southern Colonies.

The last of the Southern colonies was Georgia, established in the year of the birth of our great Washington. It was established under somewhat

different conditions from the rest of the Southern colonies, the movement leading to the planting of that colony being humanitarian, the desire being to establish a colony where debtor prisoners particularly might get a new start in life. The settlement was undertaken by an association of benevolent persons organized into a corporation but with no desire to make money. In a little while it seemed desirable to change the mode of government, and Georgia followed in the same steps as the other colonies. In other words, Virginia under the London Company and the Carolinas under the proprietaries had not prospered and had passed into royal provinces under the government of the king, Maryland being the only one of the Southern colonies that was a proprietary at the time of the Revolution, though for a period, from 1690 to 1715, it was a royal province.

This in itself was different, on the whole, from the New England colonies where the charter colony prevailed and the royal province was obnoxious. The Southern people preferred government directly from the crown; preferred in a sense to have the same relation to the king that the people of England themselves had. The commercial enterprises failing, they wished to be subjects of the king. Their institutional development was, therefore, different from that of New England and more like that of the mother country. As everything in England was centered in the hands of the crown and parliament, so everything in the Southern colonies was centered in the hands of the royal governor and the General Assembly. The people of New England, however, turned back to an older form of English government, the local township system, and local government was in a sense more important than that of the central government under the governor and the General Assembly. Especially was this true in Massachusetts

after the people of Massachusetts, in 1692, were compelled to accept a governor appointed by the king. The unit in the South was the county, and all local government was determined by legislative enactment of the General Assembly, while the officers in the county were usually appointed by the royal governors. This, of course, gave rise to some dissension, but it showed that, in general, the Southern colonies were each trying to be a miniature English kingdom, though without a class of nobles or privileged orders, but with an established Church. Still there was as much of an aristocracy in the South in government as there was in England, each Southern colony restricting the right of suffrage to the land owners. The ruling class of New England in early colonial days was limited to church members.

The South in the Revolution.

In the South there was an inherent love of England, in New England a bitter antagonism; therefore the opening of the Revolutionary period found the Southern people greatly in sympathy with English government while the people of New England were at discord with it. Against the Stamp Act and the other measures leading to the Revolution, the South showed opposition in somewhat the same spirit as when the Englishmen first began to resist King Charles I., later James II., and as some at the time of the Revolution were doing with reference to George III. Southerners looked upon their fight as a struggle for the rights of Englishmen, and it was only gradually that they were brought to a conception of a desire for independence. The wish for independence was probably not so quickly born in the South as in New England, but when once desired it was more readily demonstrated. The outcome was that the Southern states were the first to call for a Declaration of In-

dependence, and Southern leaders were among the strongest advocates of independence. North Carolina and Virginia early asked that independence be established, and Henry, Rutledge and Jefferson were ready for the movement for which doubtless John Hancock and Samuel and John Adams had frequently prayed. In the Revolutionary War, the South furnished her part of the troops and the leaders, giving the peerless Washington as commander-in-chief of the armies of the united colonies, while Virginia, on her own responsibility, conquered the Northwest Territory, thus saving it from becoming a part of Canada. When the independence of the United States was accomplished, the Articles of Confederation had finally gone into operation by the ratification of Maryland. The government was a loose confederation, Congress having no power to enforce its acts or regulations, and to the states themselves was left the power to decide whether or not they would obey the mandates of the Congress. The result was that in many instances Congressional action was absolutely ignored, hence a new form of government was imperative. Among the first to take the lead was Virginia, on whose suggestion a convention met at Annapolis, Md., in 1786, to discuss the affairs of the country. The outcome of this conference was the Philadelphia Convention of 1787 and the drafting of the document known to us as the Constitution of the United States. Over this convention George Washington presided, while the main principles of the constitution were taken from the plan drawn by James Madison. The new constitution went into effect on the ratification of eleven states, two not coming in until after Washington had been inaugurated President—North Carolina in the South and Rhode Island in the North.

What It Meant to the South to Join the Union.

The close of the Revolutionary War saw the United States with an area of 827,844 square miles, of which area the Southern states contained 402,985 square miles. The population in 1790 was 3,926,214, of which population the South contained 1,792,710. There were 757,208 negroes in the United States in 1790, all of whom lived in the South, except about 42,000. In other words, about one-third of the white population of the country resided in the South; that is, the white population of the North was about twice the white population of the South which had control of the affairs of state, for the other portion of its population was its property. Before 1790, all the states in the North had abolished slavery except New York and New Jersey, the former not abolishing it until 1799 and the latter not until 1804. We should probably consider Delaware as a Northern state, and it did not abolish slavery until forced to do so by the Thirteenth amendment. Thus with the opening of the Nineteenth century, not including little Delaware, all the Northern states were free from the institution of slavery, and its burden was placed entirely upon the Southern people. Hence the observant one could see, when the United States was organized, that the slavery question was to be an important one, and the South on entering the Union played a most hazardous game.

In the convention itself at Philadelphia, the question of slavery was a vital one, because the South was unwilling that its slave population should be ignored in the apportionment of representation in Congress, and a compromise was effected whereby five slaves should count in the apportionment as the equivalent of three whites. It was also agreed in the nature of a compromise between extreme slavery and anti-slavery men that the slave trade should be

allowed to continue for twenty years. There was a decided sentiment on the part of certain leaders, both North and South, in favor of the abolition of slavery in all parts of the country, but on the other hand it was clearly understood that the Federal government should in no way interfere with slaves in the states, and upon this principle, definitely fixed in their minds and consciences, the Southern people entered into the Union cordially and heartily for the most part, but with fear and trepidation in the minds of some. To the South the notion of sovereign independent states entering into a Federal Union of defined limited powers was a clear concept, and was probably so understood by the North at the time of the adoption of the constitution. But the admission of the states of the Northwest, which knew no existence outside of the Union, minimized the importance of the concept of an independent state, and during a period of seventy years many Northern people lost the conception of a Federal government and recognized only a national existence. The United States government was no longer an "experiment."

History does not portray as faithfully as it should the self-sacrificing spirit of the South in entering into the Federal Union. When one recalls that, in 1780, Georgia included the present Alabama and Mississippi, that North Carolina owned Tennessee, and that Virginia possessed what is now the present states of West Virginia and Kentucky, and had good claim to the entire Northwest Territory, it is easy to realize that, had these three states, together with South Carolina, desired to organize themselves into a republic, the United States as we know it to-day would never have come into being. The Northwest Territory and the Southern states were a good three-fourths of the area of the United States in 1790. The South was, therefore, necessary to a great Fed-

eral government, and confidingly it did its part in the establishment of the United States.

Southern Statesmen in American History.

The South furnished to the Union its Washington to be its first President, its Jefferson as the first secretary of state, its Edmund Randolph as the first attorney-general, its Madison to shape legislation in the first House of Representatives. In a few years after the Federal government had been formed, it furnished John Marshall as chief justice to so construe the law that the Federal government became as strong and binding as if a nation had been created in the beginning.

As the country grew, the population of the South did not increase as rapidly as it did in the North, for in 1790 the population of the two sections was nearly equal, but by 1860 the population of the South was 12,103,147 and of the rest of the country 19,340,-174. It is thus seen that the great movements of population were to the North and West rather than to the South. The South, however, though its population in seventy years decreased from one-half to nearly one-third of the entire population of the country, maintained a greater influence in the affairs of the government, in proportion to her population, than any other section of the country. Especially to be considered is the fact that when the slave population is subtracted, the North and West always had more than three times as large a population of citizens. Bearing this in mind, we may note the following suggestive facts:

Of the twenty-five occupants of the White House, the South has contributed ten: Washington, Jefferson, Madison, Monroe, Jackson, William Henry Harrison, Tyler, Polk, Taylor and Johnson; none elected since the War of Secession, and all within the period of eighty years from 1789–1869. Southern Presidents held the reins of government for nearly fifty-three years.

Of the twenty-six vice-presidents, seven were from the South: Jefferson, Calhoun, R. M. Johnson, King, Tyler, Breckenridge and Andrew Johnson.

Of forty secretaries of state, the South furnished twelve, as follows: Thomas Jefferson, Edmund Randolph, John Marshall, James Madison, Robert Smith, James Monroe, Henry Clay, Edward Livingston, John Forsyth, Abel P. Upshur, John C. Calhoun and Hugh S. Legaré.

Of the forty-three secretaries of war, the South furnished fifteen, as follows: James McHenry, James Monroe, William H. Crawford, John C. Calhoun, James Barbour, John H. Eaton, Joel R. Poinsett, John Bell, George W. Crawford, Charles M. Conrad, Jefferson Davis, John B. Floyd, Joseph Holt, Stephen B. Elkins and Luke E. Wright; none since 1860 except Elkins and Wright.

Of the thirty-seven secretaries of the navy, there have been sixteen from the South: Benjamin Stoddert, Robert Smith, Paul Hamilton, John Branch, George E. Badger, Abel P. Upshur, Thomas W. Gilmer, John Y. Mason, William B. Preston, William A. Graham, John P. Kennedy, James C. Dobbin, Nathan Goff, Jr., William H. Hunt, Hilary A. Herbert and Charles J. Bonaparte. Four of these were since the War of Secession.

Of the twenty-two secretaries of the interior, the South contributed nine, as follows: A. H. H. Stewart, Jacob Thompson, Carl Schurz, L. Q. C. Lamar, John W. Noble, Hoke Smith, James A. Pearce, D. R. Francis and E. A. Hitchcock.

Of the forty-two secretaries of the treasury, ten were from the South: George W. Campbell, William H. Crawford, Roger B. Taney, George M. Bibb, Robert J. Walker, James Guthrie, Howell Cobb, Philip F. Thomas, Benjamin H. Bristow and John G. Carlisle; two since 1860, Bristow and Carlisle, both of Kentucky.

Of forty-two postmasters-general, the South has furnished fourteen, as follows: Joseph Habersham, William T. Barry, Amos Kendall, Charles A. Wickliffe, Cave Johnson, Aaron V. Brown, Joseph Holt, John A. J. Creswell, James W. Marshall, David M. Key, Horace Maynard, Montgomery Blair, William L. Wilson and James A. Gary. Of the twenty since the war, six were from the South.

Of the four secretaries of agriculture, there has been from the South one, Norman J. Colman.

Of the forty-four attorneys-general, the South furnished eighteen, as follows: Edmund Randolph, Charles Lee, John Breckenridge, William Pinckney, William Wirt, John M. Berrien, Roger B. Taney, Felix Grundy, John J. Crittenden, Hugh S. Legaré, John Nelson, John Y. Mason, Reverdy Johnson, Edward Bates, James Speed, Amos T. Akerman, Augustus H. Garland and Charles J. Bonaparte. Three out of ten since the war.

Of the eight chief justices of the Supreme Court, the South furnished three, John Rutledge, John Marshall and Roger B. Taney.

Of thirty-five speakers of the House of Representatives, fifteen have come from the South, Nathaniel Macon, Henry Clay, Langdon Cheves,

P. P. Barbour, Andrew Stevenson, John Bell, James K. Polk, R. M. T. Hunter, John White, John W. Jones, Howell Cobb, Linn Boyd, James L. Orr, John G. Carlisle and Charles F. Crisp. For fifty-eight years out of the one hundred and twenty of the existence of Congress, Southerners have presided.

Of forty-four ministers to Great Britain, six only have hailed from the South, and of forty ministers to France, as many as seventeen were from the South.

These long lists will clearly demonstrate that in the political life of the nation as a whole the South has not been backward. In proportion to its white population, it gave more than its share of leaders before 1860, but since that date it has not been recognized to any extent in the government.

Southern View of the United States Government.

From the beginning of the United States government under the constitution, Southern leaders have been custodians, as it were, of the constitution of the United States. When Washington was undecided as to the right of Congress to pass certain measures, he took the written opinion of two secretaries, Mr. Jefferson of the State Department, and Mr. Hamilton of the Treasury Department. Mr. Jefferson's opinion was that Congress could not legislate beyond the definite prescribed powers granted it in the constitution, while Mr. Hamilton held the view that whatever was for the general welfare of the country lay within the purview of the Federal Congress. Here was a line of demarcation. The Jeffersonian view was held from 1790 to 1860 quite consistently in the South, while the North vacillated from Hamilton's view to Jefferson's and back again. It is true that one Virginian was strongly Hamiltonian, and fortunately for a strong Federal government he was chief justice of the country for thirty years. It was during this long period of chief justice of the Supreme Court that Marshall so construed the constitution as to broaden the scope of Congress and to

strengthen the Federal government, but Southern legislatures and Southern statesmen were consistent in their views, demanding a strict construction of the constitution.

When the alien and sedition laws were passed, Virginia and Kentucky championed state rights and in the Kentucky resolutions of 1798-99 and the Virginia resolutions of 1798-99 they set forth the Southern doctrine, clearly demonstrating that the Federal government was a creature of the states. The Federalists winced under this doctrine, but though they never conceded in words the soundness of it, the fact that the Federal Congress repealed the alien and sedition laws was in a sense an acknowledgment of its correctness. Such a doctrine, if accepted by all, would have led to the peaceable dissolution of the Union, or would have kept Congress from interfering with state affairs. There seemed, however, to have been on the part of neither Virginia nor Kentucky, in passing these resolutions, any notion of a formal secession from the Union, though some Virginians (notably John Taylor, of Caroline, who as early as 1796 had suggested to Mr. Jefferson that it might be wise for Virginia and North Carolina to secede from the Union and unite to form a new republic) did dream of separation from the Union. Jefferson, however, was always a Union man. The South regarded the Federal government as a great experiment but thought that the states for the sake of union should be long-suffering and forbearing, demanding their rights in Congress. At times, some of the leaders of New England accepted the doctrine of state sovereignty as fully as it was ever asserted in the Virginia and Kentucky resolutions, notably Josiah Quincy of Massachusetts, who probably was the first man ever to suggest in the halls of Congress any proposition of secession. In the debate of 1811

for the admission of Louisiana as a state in the Union, he declared:

"If this bill passes, it is my deliberate opinion that it is virtually a dissolution of this Union, that it will free the states from their moral obligations, and as it will be the right of all, so it will be the duty of some, definitely to prepare for a separation, amicably if they can, violently if they must."

In the midst of the War of 1812, Massachusetts by vote of her legislature called for a convention of the New England states. On Dec. 15, 1814, delegates from Massachusetts, Connecticut and Rhode Island, with unofficial representatives from New Hampshire and Vermont, met at Hartford, and declared that "states which have no common umpire must be their own judges and execute their own decisions"—the same doctrine as enunciated by the Virginia and Kentucky resolutions. A number of amendments to the constitution were proposed. Behind the declarations of the Hartford Convention "was the implied intention to withdraw from the Union" if its demands were not accepted by the Congress of the United States. Again, when the question of acquiring territory from Mexico was being discussed in the House of Representatives, John Quincy Adams suggested that New England might secede from the Union. In the early days of the republic, however, the South evidently did not favor anything looking to secession but rather the assertion of the rights of the states by their legislatures in something approaching nullification, and the Kentucky and Virginia resolutions bore fruit in the South Carolina nullification.

Slavery Agitation Makes Sentiment for Secession.

That which brought the South to a consideration of secession as a practical solution of its difficulties came out of the attack on an institution which un-

fortunately had been fastened upon it—the long and bitter controversy over slavery. The petition of the Quakers of Pennsylvania to the first Federal Congress asking for abolition of slavery was met with a declaration that slavery was a state institution and not to be disturbed by Federal legislation. This was the Southern point of view. The Southerners accepted in good faith the abolition of the slave trade because it was provided for in the constitution of the United States. But when Missouri applied for admission into the Union as a slave state and Congress desired to exclude it, or to admit it only if slavery should be abolished in its limits, a new question arose—the question of whether it was within the province of the United States government to deal with slavery in the territories or in territories applying as states for admission into the Union. The question was really never presented to the courts but was settled by a compromise, it being agreed that Missouri should be admitted as a slave state, but that slavery should be shut out of all other territories north of the southern boundary of Missouri. The Southern people as a whole were satisfied with this compromise, though there were many who, at the time the measure passed in Congress, regarded it as unconstitutional and as a very dangerous precedent, notably John Randolph, of Roanoke, and John Taylor, of Caroline. The former though favorable to all movements for emancipation of slaves (for at his death he liberated his own) felt that the United States government had no constitutional right to interfere with slavery either in the states or territories. John Taylor in his writings on the constitution declared that Marshall's decision in the case of McCullough *vs.* Maryland and the passing by Congress of the Missouri compromise were preparing the way to break down the Federal govern-

ment to be followed either by the dissolution of the Union or by a centralized national government which had not been contemplated by the "fathers."

At this period of our history a great industrial revolution began in the South. Through the use of the cotton-gin, first invented by Whitney in 1793, cotton production became more profitable and the crop doubled from 1810 to 1820, and from 1820 to 1840 quadrupled, increasing from 400,000 to 1,634,954 bales. The labor saved by the invention of the reaper by McCormick in 1831 made possible a wonderful increase in the production of wheat in all parts of the United States, especially the North. The natural result of this revolution both North and South was an increased demand for labor. In the South there was a call for more slaves for the cotton fields. Almost simultaneously with the new industrial conditions came the Garrison abolition movement. Some slight slave insurrections in the South caused an uneasiness among the planter class, and a belief that the abolitionists of the North were really in favor of liberating the slaves at whatever expense, either by slave insurrections or a breaking down of the Federal government. In fact, William Lloyd Garrison, recognizing that the constitution upheld slavery in the states, characterized it "as an agreement with death and a covenant with hell!"

At first the abolition movement made no serious impression, however, upon the Federal government; but when Texas was admitted to the Union in 1845 as a slave state, and shortly thereafter the country was at war with Mexico, a war which was advocated by Southerners and maintained chiefly by them, the abolition sentiment of the North manifested itself strongly in Congress in opposition to acquiring more territory into which slaves could be carried. The abolition leaders believed that the expansion of the

United States dictated by Southerners had been for the sake of slavery. As they conceived it, Jefferson had purchased the Louisiana territory in 1803 to please the South and out of that territory had been made three slave states, Louisiana, Missouri and Arkansas. The annexation of Texas added to the United States an area of 265,780 square miles open to slaves, and the result of the Mexican War indicated that much more territory would be added; hence David Wilmot, a strong anti-slavery leader from Pennsylvania, introduced into the House of Representatives a measure that if any new territory should be acquired from Mexico it should not be opened to slavery. The opposition to slavery was so strong that this measure passed the lower House but failed to be approved by the Senate. The result of the war with Mexico was the annexation of what is now California, New Mexico, Arizona, Nevada and Utah. Including Texas, the increase in the area of the United States from 1840 to 1850 was 921,907 square miles, a territory greater by 100,000 square miles than the original United States in 1790. Since the formation of the United States, the territory annexed amounted to 2,153,106 square miles, nearly three times the original area of the United States. Of this area, 496,445 square miles was open to slavery, while by the Missouri Compromise 1,000,534 square miles had been exempt from slavery. The question now was what should be done with the new territory of 656,227 square miles acquired from Mexico. The matter was brought to a head by California in 1850 applying for admission into the Union as a free state. After stormy debates in Congress, California was admitted as a free state and the question of slavery in the other territory acquired from Mexico was left unsettled. In the eyes of the Southerners this restriction on their institution was

too great, and a convention of all the Southern states met at Nashville in 1850 to discuss the matter, but it was not secession in spirit. By the compromise of 1850, a sop was thrown to the Southern people in a more stringent fugitive-slave law which was in every way constitutional but which Northern states ignored, most of them passing personal liberty acts which really prevented the apprehension of fugitive slaves. In 1854, through the influence of Stephen A. Douglas, Congress passed a bill providing for the organization of Kansas and Nebraska into territories and leaving the question open as to slavery. Then followed a mad rush on the part both of abolitionists and slaveholders to see who could secure these territories. Over the admission of Kansas as a state came a fight in Congress which could not be settled until after the Southern states had seceded. In the meantime by the Dred Scott decision of the Supreme Court of the United States the Missouri Compromise was declared unconstitutional and all the territories of the United States were opened to slavery. In other words, the Supreme Court had accepted the Southern position. This decision made the Republican party and was followed by Lincoln's election resulting in secession.

The Meaning of the South's Attitude to the Federal Government.

The one great fact of Southern history which has not been emphasized as it should be, is that from 1789 to 1860 the South had not fought to break down the constitution or to break down the Federal government, but to maintain the constitution and to maintain a Federal government. Its policy during these years in Congress was to demand that the constitution be preserved, that state institutions should not be interfered with, and that the constitution

should be interpreted in the light of its adoption. A Southern history, therefore, must tell in a dispassionate way these facts, and must save from future prejudices any impression which may prevail that the South was fighting for human slavery without regard to constitutional right or without love of the Federal government. In other words, had the people of the North been willing to have abided by the constitution of the United States, and by the decisions of the Supreme Court, and to have enforced the law of the United States with reference to fugitive slaves, the South would not have seceded. The contribution of the South, therefore, before 1860 to the political history of this country was its efforts to maintain the rights of the states as such and to prevent centralization of power in the hands of the Federal government. The War of Secession resulted from the election of a President on a platform to exclude slaves from the territories in opposition to a decision of the Supreme Court. The demand of the South before 1860 for a strict construction of the constitution was, therefore, a valuable asset to the country at large, and to-day it is still of great importance.

The rights of the states as such and the province of the Federal government as such are yet vital questions. The best lawyers of the land to-day recognize that the Southern view of the constitution was the correct one, and constant appeal is being made to maintain state rights, and to prevent anything like the establishment of imperialistic ideas in the nation. There is pending in the Supreme Court of the United States at present a case with reference to passenger rates fixed by the corporation commission of Virginia for the railroads within the state. As yet the matter is not entirely settled, an important point being the question of the right of

the individual state. Such decision as has already been rendered recognizes certain state rights, yet inasmuch as the court declared that a single judge of a subordinate court of the United States can enjoin an order entered by the highest court of a state, one is compelled to look askance and wonder to what extent our state governments may be humiliated by the Supreme Court of the United States. While it is recognized that the War of Secession forever killed state rights in the sense of any state peaceably seceding from the Union, still it was not contemplated that the Federal government, either by legislative or by judicial procedure, would have the right to interfere with matters affecting peculiarly the people of any state. The South, therefore, has from the beginning consistently faced the issue and consistently fought centralization and imperialism. Its contribution, therefore, has been a great one, and its attitude towards the Federal government before 1860 should be recognized as of supreme importance to the country. Our Northern friends should, therefore, be magnanimous and acknowledge that the South in the period of Secession was fighting the battle of state governments, just as our English friends acknowledge that in 1776 we were fighting for British rights. Some Northern historians have already been generous enough to concede this point, among them Professor Burgess, of Columbia University, who, while he insistently claims that secession was entirely wrong, likewise acknowledges that Reconstruction was highhanded and ignored the rights of the states. The North is beginning to recognize this fact with reference to Reconstruction and many of its leaders are ready to join with the South to see that there is no further repetition of the violation of the rights of individual states.

The War and Reconstruction.

The war was a break in the progress of the United States. It was a terrible financial and economic blow to the South. No people fought more gallantly, no people fought more determinedly, no people ever made in war greater sacrifices. They were willing to surrender all for what they believed was right. Dr. Thomas Nelson Page has well said:

"A proof of the deep sincerity of their principles is the unanimity with which the South accepted the issue. From the moment that war was declared, the whole people were in arms. It was not merely the secessionist who enlisted, but the stanch Union man; not simply the slaveholder, but the mountaineer; the poor white fought as valorously as the great landowner; the women fought as well as the men; for whilst the men were in the field the women and children at home waited and starved without a murmur and without a doubt."

In 1860 the South had a white population of less than 9,000,000. From 1861 to 1865 she put into the field about 600,000 soldiers, an unusually large proportion of the men to render military service. In 1860 the value of her taxable property was more than six and one-half billions of dollars, which was about 42 per cent. of the entire value of taxable property in the United States. Since the white population of the South was only about 26 per cent. of the entire white population of the country, her per capita ownership of property on this basis exceeded that of the rest of the country. By the War of Secession she lost slaves and property of taxable value of about two and one-half billions of dollars. The census of 1870 shows a valuation of taxable property in the South of four and one-half billions, about 19 per cent. of the total taxable property of the country. The per capita average of the South was far below the average of the country at large.

The year 1870 found the South in the throes of Reconstruction. Those who had been leaders in the South, and the sons and descendants of these leaders,

scarcely had time to gain a livelihood. Their chief activity lay in planning to save the Southern states from negro and "carpet-bag" domination. The Reconstruction period was one of humiliation and self-control on the part of the whites. The Northern people have never been able fully to understand the Southern opposition to the government of Reconstruction days. They really seemed to believe that the chief desire was to keep the negro from voting. Had the negroes been an inoffensive minority, disturbances would have been less. But in view of the fact that the negroes (many whites having been disfranchised) were, with a few carpet-baggers, giving bad government and increasing the debts of already bankrupt states, for the sake of the states themselves it was absolutely necessary that there should be an end put to this rule. To be sure beyond all this there was an absolute barrier, a barrier which prevents two races ruling in the same country; for one or the other must be supreme. It was but natural that the whites should rule and not the blacks, for were the negroes to migrate to the North, the whites there would not yield to them the government without a struggle. When we consider that the legislature of South Carolina contained a majority of negroes, and its debt was increased in four years from $5,407,-306 to $18,515,033, when we recall that the situation was just as bad in Mississippi and Louisiana, it is obvious that such bad government had to end.

Race antipathy only intensified such a situation. This the people of the North are beginning to realize as the foreign element in this country increases. In an economic sense the Pacific coast now appreciates the meaning of a race problem on account of the number of Mongolians who have come there. The Mongolian and negro races, therefore, are two problems with which the United States has to reckon.

The whites regained control of the state governments of the South some thirty years ago, and since then have been ruling themselves. They have wondered, though, how the political rights of the negro race could in the face of the Thirteenth, Fourteenth and Fifteenth amendments be curtailed. Finally by means of an educational test to determine who should exercise the right of suffrage, the state of Mississippi eliminated most of its illiterate voters, chiefly negroes. Since then all of the states of the South have modified their constitutions along the same lines. In addition to an educational qualification there has been introduced into many of these constitutions a special clause admitting to the suffrage, without reference to educational qualifications, war veterans whether they fought for the North or for the South, and sons of these veterans; in some cases grandsons are admitted, and for none of these is the educational test required. The suffrage provisions have the tendency to reduce greatly the vote of the colored people in proportion to the vote of the whites, but the requirements in several of the states of the prepayment of poll tax for several years previous to the election have disfranchised a number of excellent citizens, making in some ways the new constitutions in the South unsatisfactory. But the new régime of a limited suffrage, though some whites lose their votes, is better than the old régime with many illiterate voters, much bribery and corruption. The new Southern constitutions have greatly purified Southern elections, but counting the disfranchised whites as well as the blacks, the number of voters has been cut down nearly one-half in many states.

In studying the race problem in this country, it is to be remembered that the North has never done anything towards the solving of it. The Republican party came with Reconstruction, the enfranchising

of all the negroes, and the disfranchising of many of the whites, thus degrading the white people of the South, people of their own Anglo-Saxon stock, a few Northern adventurers hoping to ride into power on negro suffrage. The idea as expressed by Thaddeus Stevens was to maintain the supremacy of the Republican party. The negro was encouraged to be insolent and "uppish," and as a result became indolent and useless in many cases. The Southern people had, after getting rid of the Northern incomers, to remodel society so as to make the negroes useful. This they have done, by maintaining a school system for the negroes as well as for the whites. At the same time the best thought of the Southern whites is devoted to a consideration of the problem how to improve the negro race and make it more useful to society.

The New South.

Since the War of Secession, the South has not entered prominently into politics. It has consistently fought for state rights and will continue to fight for them. It has consistently maintained that the Supreme Court of the United States shall not construe the constitution loosely but strictly, and in this one particular it is of great service to the Union. But the main contributions of the new South are industrial in their nature.

The population of the South since the war has remained homogeneous. The native population has added, within the period between 1880 and 1900, seven millions to their numbers. The foreign-born population has added only 97,000. In 1900 the native inhabitants formed 97.7 per cent. of the Southern communities and the foreign-born only 2.3 per cent., while in 1900 in the North Atlantic states the per cent. of foreign-born was 22.6. The foreign-born population in the South to-day is practically smaller

than it was twenty years ago. The South is anxious for foreign population as seen by the fact that the agricultural departments of all the states of the South are constantly advertising for foreign immigrants, and North and South Carolina and Virginia within the last few years have sent representatives to Europe searching for immigrants. The great number of negroes in the South, however, has prevented the incoming of foreigners. The lack of village communities in many rural districts is another hindrance. It is only within the last few years that foreign immigrants are being successfully introduced by settling them in communities by themselves and placing them, as it were, in a little village where they have their own school and their own church. A hopeful sign for the industrial development of the South also is the fact that the white population is increasing at a greater ratio than the colored. A careful study of the movements of population into other states shows that less whites are migrating from the South. The negro is not thriving so well physically as he did in the days of slavery, and had the abolition of slavery been delayed many generations, the Southern states would in reality have had an overwhelming majority. The abolition of slavery came at the right time—the curse of it was Reconstruction. Mr. Bruce thinks that by the continuation of slavery for thirty years longer "the numerical disproportion between the slaves and slaveholders would have been as great as it was in the English West Indies when emancipation was proclaimed in those islands."

With the abolition of slavery, the trend of Southern population has been from country to town. Farming lands are therefore cheaper in the South than anywhere in the West, and necessarily new agricultural conditions must come; in fact, they are al-

ready at hand. The census of 1900 shows that 17,000,000 Southern people lived in the country but that the towns are rapidly growing; for example, in Alabama, Georgia, North Carolina and South Carolina, the growth in towns averaged more than 75 per cent. from 1890 to 1900. This movement tends to increase factories of all kinds. At the same time, the large plantations are being divided; for example, the average number of acres in a farm in North Carolina in 1860 was 316; in 1900, 101 acres. Like conditions prevail in all Southern states. Generally speaking, about one-fifth of the farms of the South are owned by negroes, but the proportion of acreage is probably not more than one-twentieth if we may judge by the fact that in 1900 in Virginia out of a total of 19,907,883 the negroes owned 990,790 acres. Small farms with an intensive system of cultivation now prevail in the South and within twenty years the agricultural products have increased from $600,000,000 to $1,200,000,000 annually.

In 1900 the number of bales of cotton produced was 10,000,000; in 1880 the production was only 6,000,000. As a result of this rapid increase hundreds of mills have been put into operation. In 1880 the Southern states contained less than one-fourth of the cotton factories of the Union; in 1900 they possessed nearly one-half. It is confidently expected that the census of 1910 will show that the South has more than one-half of all the cotton factories of the United States. The amount of money invested in this industry has increased from $22,000,000 in 1880 to $132,000,000 in 1900. The result of this growth has been the creation of a number of technical schools dealing with many industrial problems, notably Clemson College in South Carolina. The cotton factories along with the growth of iron, wood and tobacco industries have increased the population of the cities.

The increase of farm and factory products has necessarily caused an increase of transportation facilities. The first railroad in the South was from Baltimore to Ellicot Mills opened for traffic in 1830. In 1831 a railway was laid between Richmond, Va., and coal mines in Chesterfield county. The first road in the South to run over more than one hundred miles of track was the line that connected Charleston with Hamburg in South Carolina. In 1860 the entire mileage of railroads in the South was 10,352; in 1873, 18,000; in 1880, 21,612; in 1901, 54,654 miles. Nearly every state is now well equipped with railroads, though there are still great lumber and coal regions in the mountainous sections, undeveloped and lacking in railway facilities. With the increase of railroads, there has come a wonderful increase in the products of the mines; the output of the Southern mines in 1882 was $10,000,000; in 1890, $39,000,000; in 1900, $102,000,000. In 1880 the entire output of lumber in the Southern states was $39,000,000, while in 1900 the value was $200,000,000, this great increase being due largely to improved transportation facilities.

The material wealth of the South has increased along all lines, and in 1901 there were 2,450 banks with deposits of $638,000,000 and a capital of $191,000,000 representing an increase in the financial facilities in the South of more than one hundred per cent. in ten years. We should not fail also to mention that the exports from Southern ports have increased during the period from 1880 to 1900 from $306,000,000 to $510,000,000.

Improved Educational Facilities.

Since the War of Secession one of the greatest changes which has taken place in the development of the country is in the increase of its educational

facilities. The South in ante-bellum times had no system of public schools such as that of New England, and its first real public school system began in the days of Reconstruction, though, of course, there were some provisions made for teaching poor children at the expense of the state even before the war. The wealthy families of the South, however, had private tutors. Sometimes a number of families in the community employed a teacher who taught in what is known as an "old field school." To such schools were sent a number of poor children whose tuition was paid out of state funds. The sons of the rich planters who were taught by private tutors or at the old field school were sent afterwards to an academy or to some small college, and frequently to a university. The great mass of the Southern people were not illiterate, as the children of persons of any means whatever were educated, while about one-half of the poor children were also sent to school at the expense of the state. Maryland and North Carolina had a public school system before 1860, and South Carolina put one into operation in 1811, though it was not strictly enforced, but in Charleston it proved very successful. Georgia, Florida, Alabama, Mississippi, Kentucky and Tennessee all had laws before 1860 providing for a public school system. We may say truthfully, however, that the best thing that was given the South by the Reconstruction constitutions was the system of free public education. The old aristocratic class in the South naturally opposed the free school, but after a few years such schools became more popular and to-day are accepted as the basis of our educational life. In two states, Kentucky and West Virginia, there is found a system of compulsory education.

In 1900, there were 106,967 persons engaged in teaching in the South and in the same year $26,000,-

000 were expended for the support of public schools. Those of school age were 3,961,000, while the public school enrolment was 2,211,000.

The number in private institutions was about 350,000. There were in the South 216 institutions of higher learning for the whites with an annual income of about $3,500,000. It is not to be forgotten that the negroes are receiving their share of the educational fund and much more than their entire taxes for educational and all state purposes. This speaks well for the magnanimity of the whites and their desire to increase the efficiency of the negro race, if education will do it.

Conclusion.

The *Manufacturers' Record,* of Baltimore, recently summarized the condition of the South from 1880 to 1908 as follows: Increase of population from 16,369,960 to 26,834,705; increase of value of property from $7,000,000,000 to $20,000,000,000; increase of value of manufactures from $257,000,000 to $2,100,000,000; increase of value of cotton mills from $21,000,000 to $266,000,000; increase of value of cotton crop from $312,000,000 to $614,000,000; increase of expenditures for common schools from $9,000,000 to $37,000,000.

This record of achievement is small as compared with what the South may accomplish when its population increases. Its population per square mile now is only about 31; consider that New England has more than 100, and Illinois more than 93 to the square mile; consider also the undeveloped resources of the South; that $33^1/_8$ per cent. of its farming lands are unimproved and that other lands capable of being drained contain an area nearly one-half as large as the total of New England; that the South is the market garden of the North and that annually

it is shipping to the great cities many millions of dollars worth of small fruits and vegetables; that it is producing in commercial quantities more than fifty of the leading minerals and has a coal territory of 148,000 square miles. Think of what the betterment of its transportation facilities will mean, for should there be as many miles of railroads in the South to the square mile as in the state of Illinois, we would have four miles for every one now in existence.

What then constitutes the chief things for us to consider in the Southern civilization of to-day? First, the determination of the Southern whites to rule in the lands which they themselves have developed—white supremacy but with civil rights to all. Secondly, the great industrial change—the abolition of the large plantation and the introduction of small farms; greater diversity in agricultural pursuits; the development of all kinds of manufacturing enterprises; the development of transportation facilities; the increasing of the efficiency of the entire population for civic and industrial duties by public education.

The South is making marvelous strides and its activities are being directed by its own people who understand its own conditions. The South has accomplished much under many obstacles; it will accomplish more since many of these obstacles have been overcome, and its importance to the nation is being more fully realized.

J. A. C. Chandler.

THE HISTORY OF VIRGINIA.

Chapter I.

THE BEGINNINGS OF VIRGINIA, 1584-1624.

Early English Explorations.

WHEN Columbus sailed westward from Spain in 1492, had any writer attempted to picture the results which were to follow from his voyage, his views would have been regarded as the utterances of an insane man. Nevertheless, it is true that Columbus pointed the way for the development of great continents, the possibilities of which it took Europe more than two hundred years to grasp. The goal was India, whose wealth was being sought, and a new world was far from the thoughts of Columbus. The lands that he reached he regarded only as a barrier to India, which, doubtless, lay near by.

Having established the fact that a westward voyage might be made to the oriental countries, explorers by the score were soon traversing the high seas, each hoping to be the first to reach, by sea, the long coveted goal. Among these explorers was Americus Vespucius, who, having sailed far south, touched the mainland of South America. In the year 1507 he promulgated his view that the western lands which Columbus and the other explorers had reached were not portions of Asia but a new continent. In the meantime, some ten years before,

Vasco da Gama had sailed southward along the coast of Africa passing the Cape of Good Hope, and striking across the Indian Ocean had reached India. Thus an all-water trade route had been discovered to the east while the explorers were still searching for the westward passage. Da Gama's success, however, did not deter others from looking for the western passage; in fact, it only stimulated western voyages.

While Spain and Portugal were sending out explorers, England was not unmindful of her own development, and desired to participate in whatever good results might come from the discovery of such a passage, and she, therefore, under the direction of her business-like king, Henry VII., sent out expeditions commanded by John Cabot and his son, Sebastian Cabot, in the years 1497 and 1498. These voyages resulted in the discovery of the shores of North America, extending from Labrador as far south as Florida. Though the northwest passage was not found other English explorers continued the search, among them Martin Frobisher, who touched the coast of Labrador some eighty years later than the days of Cabot. But during the reign of Henry VIII., Edward VI. and Mary practically nothing was done towards following up the explorations which had been made in earlier years. It remained, therefore, for the reign of Queen Elizabeth to see the expansion of England in all directions. Along with the growth of English towns, English industries and the development of a splendid literature came a commercial spirit which looked to the encompassing of the globe—a spirit which has made England the foremost nation of the Twentieth century. This spirit grew out of opposition to Spain, a desire to prevent her from being the most powerful nation of Europe as the result of the riches which she was

securing from South America. English merchant-knights and sea-rovers were soon found in all directions upon the high seas, among them being Hawkins, Grenville, Drake and Gilbert. Hawkins and Drake plundered Spanish commerce on the oceans and frequently touched new lands. Drake on one voyage went as far north along the Pacific coast as the mouth of the Columbia River, and circumnavigated the globe.

As opposition to Spain increased, a feeling grew for the establishment of an English colony in North America. Among the first to undertake it was Sir Humphrey Gilbert, who was undoubtedly stimulated by his half-brother, Raleigh. In 1578 Gilbert started out with his first colony, but on account of a storm was forced to return to England. Five years later he planted a colony on the coast of Newfoundland, but was forced to abandon it, and on his return to England was lost at sea. The next year, 1584, Sir Walter Raleigh secured, in his own name, the patent which Queen Elizabeth had granted to Gilbert for the planting of a colony in the new world. Raleigh had been Gilbert's mentor in his colonization scheme, and now he took upon himself the obligation, as he saw it, of planting an English nation in America as a bulwark against Spanish aggression. The letters patent granted to Raleigh gave all the colonists the rights of English subjects, and allowed Raleigh, his heirs or assigns, to provide such governments for the colony, or colonies, as were in harmony with the English constitution.

The Roanoke Colony.

Having secured the letters patent Raleigh sent out two experienced sea-captains, Philip Amadas and Arthur Barlow, who, sailing from England in April, 1584, finally reached the coast of North Caro-

lina July 2 of the same year. A few days later they entered Albemarle Sound and landed on Roanoke Island. A glowing report they made of the new world on their return to England, telling of the excellent timber and fruits, and of the game to be found in the new land. It is said that when the report was made to Queen Elizabeth she decided to name the country in honor of herself, the Virgin Queen, and called it "Virginia." Thereupon Sir Walter proceeded to secure settlers to go to the new land. Some one hundred men set sail from England in a fleet of seven small ships under the command of the famous fighter and sea-rover, Sir Richard Grenville. The last of July, 1585, the colony landed on Roanoke Island and proceeded to build a small town under the direction of Ralph Lane, who had been sent by Raleigh as governor of the colony. Lane was a man of wisdom and good judgment, and he opposed the selection of Roanoke Island as the site of the colony, and sent out two parties, one by land and one by sea, to meet on the Chesapeake Bay for the selection of a better site. With Lane was Thomas Cavendish, afterwards to become renowned as an explorer; John White, the artist and afterwards governor of the second Roanoke colony; Thomas Hariot, the historian and one of the best-known mathematicians of England. Under Lane's direction a fort was built and the lands in the neighborhood of Roanoke Island explored as far south as eighty miles. Exploring parties went 130 miles north and northwest.

The neighborhood of Roanoke was not suitable for a small colony in a strange land. Indians combined against Lane under two Indian chiefs, Wingina and Wanchese. Among the friendly Indian chiefs was Granganimeo and Manteo. An attack was made by the Indians on the fort but it was re-

SIR WALTER RALEIGH.

pulsed, and Wingina was shot and his warriors scattered. A few days later, June 11, 1586, Sir Francis Drake arrived at Roanoke Island with a fleet of twenty-three sails, and after consultation between him and Lane it was decided that the colony should be taken back to England. On June 19 they sailed back to the mother country. Lane took back to England with him three articles: tobacco, Indian corn and Irish potatoes. Raleigh introduced the use of tobacco in England and also the cultivation of the potato. Indian corn has since become the great product of America. Raleigh constantly thought of the colony which he had planted on the American shores, and before they sailed from America he had sent supplies from England under the direction of Sir Richard Grenville, but they reached Roanoke Island after the colony had departed with Drake. On returning to England they found, much to their surprise, that the colony had not perished from hunger or at the hands of the Indians.

Sir Walter Raleigh was a man of great determination, and Lane's return to England did not, therefore, cause him to abandon the hope of establishing an English colony in Virginia; so, in the year 1587, he sent out 150 colonists under John White, the artist, who was appointed governor, with twelve assistants, who received from him a charter and were incorporated under the name of "Governour and Assistants of the Citie of Raleigh in Virginia." Of the 150 settlers seventeen were women and nine were children, and, judging from their names, ten of the men brought their wives and children. Instructions were given that the colony should be planted on the Chesapeake Bay, and since Grenville, who the previous year had carried over some supplies, had left some men at the fort, they were instructed to go by Roanoke Island and get these men

before proceeding to Chesapeake Bay. On reaching Roanoke the commander of the fleet, Simon Ferdinando, refused to go farther, so that White was forced to land and reëstablish the colony of Roanoke. The men that Grenville had left behind had been killed by the Croatan Indians according to the stories told by the Indians themselves, but the houses which Lane's colony had built remained intact.

These houses were soon repaired and the colony began work, but the fleet under Ferdinando sailed away. In a little while the colonists were at war with the Indians, though Manteo still remained friendly and was baptized into the Christian faith. Soon after this (August 18) Virginia Dare was born, the first American child of English parents. In a few weeks White returned to England to get supplies. He was loath to go and tried to persuade some of the assistants to undertake the journey, but, on their refusal, he departed with two small ships which had been left to the colony. On arriving in England he found everything in bustle and confusion on account of the reported invasion of England by Spain; in fact, the Invincible Armada was already sailing towards the English channel. All English ships and all English sailors were needed to defend England against the Spanish power, yet Raleigh prepared, at White's suggestion, an expedition to go to the relief of the colony, but at the last minute orders were given that it should not sail. A little later, however, two ships were sent out, but being attacked by Spanish vessels were compelled to return to England. Then came the terrible struggle with Spain in which the Invincible Armada was defeated, after which White was finally able to get together supplies, and in March, 1590, sailed for Roanoke. In August, 1590, three years

after he had left the colony, he reached Roanoke Island. Everything was found in ruins; grass was growing in the doorways and no sign of human life was to be seen. On leaving the island in 1587 he had instructed the settlers in the event of leaving the island to carve on a tree or some conspicuous place the name of the place to which they had gone, and if in distress a cross in addition. After a search the word "Croatan" was found carved on a tree without a cross. Efforts were made to find Croatan, but a storm drove the vessels from the sound, and food supplies being low, the ships sailed to the West Indies. Unfortunately these ships were not under the direction of White.

Between 1592 and 1602 no less than five different attempts were made to locate this lost colony, but as a matter of fact no careful search was made at any distance from the shore, and no one has ever been able to place the lost colony of Roanoke.

Sir Walter Raleigh was very persistent in his efforts. He had spent no less than $1,000,000 in attempting to plant a colony and to locate the lost colony. Still he never despaired of seeing Virginia settled by the English. He once said, "I shall yet live to see it an English nation," and he did, for Jamestown had been settled and was a thriving colony before he was led to the block. The lost colony of Roanoke has remained a mystery in history, some believing that all the colonists were killed, others that they were absorbed by the Croatan Indians, who to-day live in North Carolina and claim that in their veins flows the blood of the Englishmen who were members of White's colony. To-day the spot where Raleigh's colonies were planted is marked by a monument which bears the following inscription:

"On this site in July-August, 1585 (O. S.), colonists, sent out from England by Sir Walter Raleigh, built a fort, called by them 'The New Fort in Virginia.'

"These colonists were the first settlers of the English race in America. They returned to England in July, 1586, with Sir Francis Drake.

"Near this place was born, on the 18th of August, 1587, Virginia Dare, the first child of English parents born in America—daughter of Ananias Dare and Eleanor White, his wife, members of another band of colonists, sent out by Sir Walter Raleigh in 1587.

"On Sunday, August 20, 1587, Virginia Dare was baptized. Manteo, the friendly chief of the Hatteras Indians, had been baptized on the Sunday preceding. These baptisms are the first known celebrations of a Christian sacrament in the territory of the thirteen original United States."

Steps to Permanent Settlement.

The work of Sir Walter Raleigh in trying to establish a colony in Virginia was not entirely futile, though for something over a decade efforts to plant a colony in Virginia were abandoned. However, it was a time in England when progress was everywhere present, in letters, arts, science, explorations and commerce. The spirit of the day was well exemplified in Raleigh himself, and there were others ready to lead in the same movement in which he had figured. His plans and those of Gilbert were, however, too large for individual effort. The natural outcome was the organization of a company, or companies, for the promotion of colonial efforts, the basal reasons being commercial.

Already large trading companies existed in Holland, France, Sweden, Denmark and even in Russia. In these countries during the 150 years after 1554 there were no less than seventy companies chartered for commercial and colonizing purposes, the two ideas being closely related in the purposes of these companies. In the year 1600 Queen Elizabeth chartered the East Indian Company, which was given a monopoly of the trade in all countries lying between the Cape of Good Hope and the Strait of Magellan going east. There were 125 stockholders, and the government of the Company was in the hands of a governor, deputy-governor and a directing board of

CAPTAIN JOHN SMITH
Statue by Wm. Couper at Jamestown.

twenty-four members. The organization of this Company was taken as the basis of the organization of the London Company of Virginia. Almost simultaneously with the establishment of the East India Company plans were on foot for the establishment of a Virginia company. The Rev. Mr. Hakluyt was urging the establishment of a colony in the West, and among the motives assigned for such a colony were: (1) The discovery of a western passage to India for commerce; (2) a colony to which the unemployed class of England could be transported; (3) to check the power of Spain, and (4) the Christianizing of the Indians.

These motives were freely discussed, each promoter stressing that motive which appealed most to him. As a matter of fact, the two arguments of greatest weight were the ones for the promotion of commercial enterprise and the Christianizing of the "infidels." Mr. Hakluyt had earnest supporters in Bartholomew Gosnold, a merchant sea-captain, Edward Maria Wingfield, a London merchant, and Sir Thomas Gates and Sir George Somers, two distinguished English gentlemen. Among other earnest advocates were Raleigh Gilbert, a nephew of Sir Walter Raleigh, William Parker, a rich merchant of Plymouth, and other gentlemen and merchants of England.

The London Company Charter.

Their plans for a large company to be divided into two division were presented to King James and met with his approval, and a charter was granted by him on April 10, 1606, to two companies, one commonly known as the London Company and the other was the Plymouth Company. The London Company was to settle in southern Virginia and the Plymouth Company in northern Virginia. To the London

company was granted the right to settle anywhere between latitude 34° and 41°, and to the Plymouth Company between latitude 38° and 45°, it being stipulated that the lands between 38° and 41° were open to both companies with the proviso that the company last planting a colony should not come nearer than 100 miles of any settlement founded by the other company. The incorporators of the London Company were Sir Thomas Gates, Sir George Somers, Richard Hakluyt and Edward Maria Wingfield. The incorporators of the Plymouth Company were Raleigh Gilbert, William Parker, Thomas Hamhan and George Popham. The Plymouth Company was the first to make an effort at colonization. In May, 1606, it sent out a colony which settled on the Kennebec River. The death of Popham and Gilbert, both of whom accompanied the settlement, caused the colony to be abandoned, and no other serious attempt was made by this Company. It remained to the London Company, therefore, to make the first permanent English settlement in America. The charter granted to the London Company in 1606 provided for a council of thirteen residents in England appointed by the King as the ruling body. This council was to establish, with the approval of the King, the form of government which was to prevail in Virginia. To the settlers was granted the right to hold lands and trial by jury, and only five offenses were made punishable by death, small as compared with English punishments at that time—murder, manslaughter, incest, rape and adultery. The plea of the benefit of clergy was not to be allowed except in case of manslaughter. It is interesting to note that this benefit of the clergy was allowed in most of the American colonies for this particular crime down to the Revolution, but the person pleading it was punished with being

L. Abittibi
48° PARALLEL LIMIT OF PLYMOUTH COUNCIL FOR NEW-ENGLAND, 1620
Tadoussac (French, 1534)
St. John R.
Quebec (French, 1608)
St. Lawrence R.
Ottawa R.
Montreal (French, 1611)
L. HURON
Georgian Bay
PLYMOUTH COUNCIL FOR NEW ENGLAND 1620
L. ONTARIO
L. ERIE
Fort Orange (Dutch, 1614)
Plymouth (1620)
C. Cod
NANTUCKET I.
MARTHAS VINEYARD I.
LONG I.
New Amsterdam (Dutch, 1614)
DIVIDING LINE, 1609 & 1620
TERRITORY INCLUDED IN BOTH CHARTERS
Wilmington (Swedes, 1638)
Ohio R.
Swaanendael (Dutch, 1631)
James R.
Jamestown (1607)
LONDON COMPANY 1609
ROANOKE I. (English, 1585)
C. Hatteras
C. Fear
Savannah R.
Santee R.
SPANISH
VIRGINIA
LONDON COMPANY
ATLANTIC OCEAN
GRANTS TO THE
PLYMOUTH AND LONDON COMPANIES
Scale of Miles
0 50 100 200

burned in the hand. All excesses, drunkenness, etc., were subject to punishment. It was provided that everything in the colony should be held in common for a period of at least five years, there being a treasurer or cape-merchant to handle the goods and properties of the adventurers. In matters of religion, the Church of England was established.

Under this charter three small ships were equipped and 104 colonists sent to Virginia by the Company. A council of seven selected from these colonists were to rule in Virginia, one of that number being designated as president. In order to gratify a whim of the King, it was provided that it should not be known who the members of the council would be until the colonists had arrived in Virginia, their names being sealed in a box. The expedition, composed of the three ships, the *Susan Constant, Godspeed* and *Discovery* under the command of Capt. Christopher Newport, sailed from England on Dec. 19, 1606, and after a rough voyage passed between two capes, which were named Charles and Henry in honor of the two sons of James I.

Settlement at Jamestown.

On April 26, 1607, a landing was effected at Cape Henry, a cross planted, and the country taken possession of in the name of King James of England. After several days and several landings, they passed up a broad river which was named "James" in honor of the King, and on May 13 anchored off Jamestown Island, then a low-lying peninsula. Here the first settlement was begun. Here the council, composed of Edward Maria Wingfield, as president, and Kendall, Ratcliffe, Martin, Gosnold, Newport and Smith, began their management of the first permanent settlement of America. Smith, however, was for a time excluded from the council until he

could be tried on the charge of mutiny which had been made against him on the voyage, he being brought to the colony under arrest. He was acquitted and his accuser adjudged to pay him £200 damages. Rude houses were constructed and religious services were regularly held by the Rev. Mr. Hunt, who accompanied the settlers, under an old sail fastened to some trees. As soon as work had begun on the building of the log huts, Newport returned to England leaving the settlers to continue their operations. Unfortunately, there were few carpenters, laborers and servants among this early body of settlers, most of them being classified as gentlemen. More unfortunate still, however, was the visitation of some terrible disease, probably malarial fever, which fell upon the colonists, and in a short time swept away more than fifty persons, among them Bartholomew Gosnold. Wingfield, on attempting to flee, was deposed as president and Ratcliffe put in his place. Ratcliffe was incompetent, and the colony went from bad to worse. Wingfield and Kendall entered into a plot to seize the small boat which had been left to the colony, but were detected, and Kendall was tried for treason and shot—the first reported execution in America. In the meantime the food supply was low and much of it had been injured by climatic conditions. Still the settlers made some efforts at exploration. Hardly had they landed at Jamestown before some went up the river as far as the falls at Richmond, and late in the fall of 1607 Smith explored the Chickahominy, was captured, carried before Opecancanough and afterwards before Powhatan. Upon the entreaties of Pocahontas he was finally released and allowed to return to Jamestown. On reaching the colony in January he found a large per cent. of the settlers dead and the few remaining ones greatly in need of

LANDING AT JAMESTOWN.

corn. Fortunately for the colony, Newport arrived with a second supply and the colony was saved. In 1608 Smith explored the region of the Chesapeake Bay and its tributaries, and drew a map of this region which, considering the information which he had at hand, was extremely accurate. During this summer came Newport with other supplies and settlers, among whom were Mr. and Mrs. Forrest and her maid, Anne Burras, who shortly afterwards was married to John Laydon, the first marriage to be celebrated in the colony.

Ratcliffe having proved absolutely unworthy, Smith was finally made president, and during the remaining portion of the year 1608 better houses were built at Jamestown and a good fort constructed. The food supply was very limited, but he made many expeditions among the Indians during the winter and secured the necessary food to keep the colony alive. During this winter his life was threatened by the Indians, but Pocahontas remained his faithful friend and informed him of their plots. With the spring of 1609 new settlers arrived, all told about 500, and several new settlements were made in the colony, among them a settlement of 120 men in that portion of Richmond now called "Rocketts." Difficulties arose there with the Indians, and as Smith was returning from a trip to settle the differences at this plantation, known as Captain West's plantation, a bag of gunpowder exploded in his boat and he was severely wounded. This forced him to give up his residence in Virginia and he returned to London, the reins of government being placed in the hands of George Percy.

It was a sad day for Virginia when Smith left the colony. Percy proved incompetent. Neither he nor his assistants knew how to deal with the Indians; Pocahontas absented herself from the English; the

food supplies were extremely short and the colony entered upon a period known as the starvation time. Throughout the whole winter of 1609-10 suffering was intense; every horse, cow and hog were slaughtered and eaten. The colonists even ate rats, dogs and adders, and it was also reported that an Indian, who had been killed, was eaten. Other horrible accounts of cannibalism are also given us.

The London Company Reorganized.

While matters were going on thus in Virginia, the London Company was considering the problem of the new colony. No returns had been received from the settlement to indicate that the Company would reap any commercial benefit. The colonists had been told to find precious metals, but Newport had only carried to England a shipload of yellow sand and clay that contained no gold. The colony had been a drain upon the Company, and it was, therefore, determined that efforts should be made to reorganize the Company on a broader basis so as to sustain the colony and eventually develop it. Consequently a new charter, drawn by no other than Sir Edwin Sandys, was granted in 1609. The Company was now made into a great corporation composed of 659 distinguished nobles, knights, gentlemen and merchants of England and some fifty-six city companies of London. The prerogatives of the Company were enlarged. Sir Thomas Smythe was made treasurer and the Earl of Southampton and fifty-one others were appointed a council resident in England. In this council were fourteen members of the House of Lords and thirty members of the House of Commons. To this resident council was granted the right to make all regulations and to determine the form of government for the colony. Thus was established the first great American trust with a

monopoly of the trade with colonies to be planted in Virginia.

The boundaries of Virginia were now to be 200 miles south and 200 miles north of Old Point Comfort, and to run west and northwest from sea to sea. It was under this charter that Virginia claimed all of the Northwest Territory in after years.

The governing council of this corporation at once determined to change the government in Virginia. It appointed Thomas West, Lord Delaware, governor and captain-general of Virginia, Sir Thomas Gates as lieutenant-governor, and Sir George Somers as admiral under the new charter. A large expedition of ten ships was prepared to go to Virginia under the direction of Newport, Gates and Somers, Lord Delaware to follow later. Eight ships reached Virginia in August with a large number of settlers, but unfortunately two were lost, one being the *Sea Venture,* which carried Newport, Gates and Somers. The result was that Smith and the old régime refused to surrender the government into the hands of any newcomers for lack of proper authorization. When the ships sailed away, however, Smith went with them, leaving the old régime in existence under Percy. The *Sea Venture* was not lost but wrecked on the Bermudas, and finally, after having passed the winter there, two small boats were constructed in which Somers, Gates and Newport arrived in Virginia. They found the starved colonists who had numbered 500 in the fall now reduced to sixty with no provisions of any kind, so it was agreed that the best solution of the whole matter was the abandonment of the colony. On June 9 all sailed away from Jamestown, fortunately not burning any of the buildings. On nearing the mouth of the river they met a small boat which announced that Lord Delaware had passed through the Capes.

They thereupon returned to the Island the next day, having been away for just one night.

Lord Delaware's timely arrival saved the colony. On reaching Jamestown he fell upon his knees and gave thanks for the salvation of the colony. The new régime was now inaugurated. It was one of pomp and display. The governor marched regularly to church at stated times attended by his guardsmen, forced the people to attend services regularly and put them to work. On account of the climate Delaware was forced to leave, and in his stead came Sir Thomas Dale, who was a soldier of distinction. He at once inaugurated military rule. Under him the colony prospered, though his government was one of absolutism. In the meantime, Somers and Gates and others having reported the discovery of the Bermudas, the charter of Virginia was slightly modified in 1612, this being the third charter of the London Company. The modification was made in order to include the Bermuda Islands as a part of Virginia. It also designated that the council resident in London should meet weekly, and that four times a year all members of the Company should meet in a general court. It was further provided that all laws for the government of Virginia were to be made by the Company or its authorized agents.

Dale's administration is also marked by the marriage of John Rolfe to the Indian princess, Pocahontas. John Rolfe had been wrecked along with his family on the Bermuda Islands in the Somers and Gates expedition, and there his first wife had died. While a resident of Jamestown he had seen and become enamored of Pocahontas, who was held there as a prisoner, she having been captured by Captain Argall on the Potomac River. The marriage was celebrated in the church at Jamestown,

and their honeymoon was spent at Rolfe's estate on the James River known as Varina. In 1616 Dale returned to England, and with him went Master John Rolfe and his wife, who was graciously received at the court of King James and was lionized by London society. Mistress Rolfe died in London, leaving one son from whom so many Virginians claim descent.

The First American Legislative Assembly.

Dale's successor was Sir George Yeardley, who for some ten years with intervening periods was governor of the colony. He was a resident of Virginia, had a large plantation at Flower de Hundred, and was deeply interested in the development of the colony. When he became governor there were some 700 or 800 settlers. Within three years the population was probably 2,000, distributed among some eleven settlements. This growth in population was due to many causes: (1) More interest in the colony on the part of the London Company secured by frequent meetings; (2) the beginnings of the tobacco trade, the first tobacco being shipped to England by John Rolfe in 1612, and (3) Yeardley's efforts to secure married settlers and the building of permanent homes.

The constant reports made from Virginia to the London Company and the interest which was secured caused a more liberal attitude to be developed in the London Company towards the management of the Virginia colony. Moreover, many members of the House of Lords and especially of the House of Commons were opposed to the high-handed measures of King James in England, and were anxious to establish a colony where a liberal government might prevail. The outcome was a struggle in the Company, beginning in 1618, between the King's

party and the liberal faction as it existed in Parliament. In other words, the meetings of the council of the London Company and the general courts became the debating ground of English conditions as well as Virginia conditions, and many a parliamentary debate was, as it were, transferred to the meetings of the London Company. In 1618 very liberal instructions were given by the Company to Sir George Yeardley for the management of the colony of Virginia, instructions which allowed him to call a General Assembly. Under these instructions the governor issued a summons for the election of two delegates from each of the eleven plantations of the colony, which representatives met at Jamestown on July 30, 1619, and proceeded to organize the first legislative assembly of America. In addition to these representatives, the Assembly was also to be composed of the governor and his council, making a unicameral body. The first Assembly was held in the church at Jamestown. John Pory, secretary of the colony, was elected speaker. Every member was required to take the oath of supremacy as administered to the members of the English Parliament. The proceedings of this Assembly in Pory's autograph were found in the British record office by Mr. Bancroft, and show what was discussed by these early lawmakers. Among the important acts was one stating that since the London Company insisted on approving the laws of the Virginia Assembly, the Virginia Assembly should likewise have the privilege of approving the acts of the London Company—the early beginnings of resistance to legislation without representation. The London Company was also requested to send over laborers and workmen to build the college at Henrico.

The first movement for a college to be established in Virginia was made about 1616, and the King au-

POCAHONTAS SAVING THE LIFE OF CAPTAIN JOHN SMITH.

thorized the bishops of England to take up a collection for it, which resulted in securing £1,500. The Company granted certain lands at Henricopolis, now Dutch Gap, and in 1620 sent over George Thorpe as superintendent of the college property with workmen and carpenters. It was doubtless due to the request of the Virginia Assembly, or House of Burgesses, as it is so commonly called, that Thorpe was sent. Later the Rev. Mr. Copeland was elected rector, but never reached Virginia because the massacre of 1622 had destroyed the college property. Thus the first college in America had its beginnings before any other settlement than Virginia had been made. The early Virginians, therefore, took an interest in educational matters, even in the London Company period.

Some of the other acts of the first Assembly related to drinking, and it was unlawful for any man to get drunk. It was also made unlawful for any man to wear fine apparel provided he did not pay to the support of the church according to the quality of the clothes he wore. Anyone who was guilty of swearing, after having been three times admonished, should be fined five shillings for every offense, the fine to go to the church. The Assembly was in session only five days, but judging from the reports of its proceedings the men were conservative and business-like, and had little difficulty in passing such regulations as seemed to them best for the colony. The spirit of independence and freedom shown by this Assembly was indicative of that spirit which was afterwards to produce the American Revolution.

Charter of London Company Annulled.

For the next three years the colony grew rapidly. Negro slavery was introduced in 1619, twenty slaves being purchased from a Dutch man-of-war, eight

of whom became the property of the governor. Some ninety young ladies were brought over to become wives of the settlers, and thus more permanent homes were formed. The tobacco industry increased, and in 1620 20,000 pounds were shipped to England. By 1622 the number of settlements was some twenty-four or twenty-five.

The Indians saw with amazement the occupancy of their lands by the whites. At the time that the first settlement was made at Jamestown, Powhatan, as he was called, was ruler of a loose confederacy of small Indian tribes in eastern Virginia. At first he was hostile to the English, but though he was a wily diplomat he was no match for John Smith, and finally yielded to all the requests of the English without serious conflict. After the capture of his daughter and her conversion to Christianity and marriage to John Rolfe, he and his tribe lived in peace with the English. The tie between the races was, however, somewhat broken by the death of Pocahontas, and later entirely severed by the death of Powhatan. The same chieftain who had first captured Smith in 1607, Opecancanough, now became the ruler of Powhatan's people, and urged them to prevent a further growth of the English settlements. The outcome was a sudden and unexpected uprising in the spring of 1622 which resulted in the destruction of the city of Henricopolis and several other smaller plantations, and the death of some 300 settlers, among them Capt. William Powell, who had been a member of the first legislative Assembly, and probably John Rolfe, who had married Pocahontas. This was a severe blow to the colony, and it was some six or eight months before it again began to receive new settlers and to take on new life.

SITE OF JAMESTOWN, VA.

While these affairs were going on in Virginia, the situation in the London Company in London was becoming more critical. Sir Thomas Smythe, in 1619, having been appointed by the King a commissioner of the navy, declined reëlection as treasurer of the London Company, and Sir Edwin Sandys was elected as his successor. The following year when the question of election came up the King sent word that Sir Edwin Sandys was *persona non grata,* whereupon the liberal faction placed in nomination the Earl of Southampton, who was elected. Southampton was equally as objectionable, but as long as the London Company remained in existence he was reëlected to his office. In other words, the London Company was controlled by the more liberal element of Parliament which was opposed to King James' notion of Divine Right and royal prerogative. It was, therefore, the King's desire to annul the charter of the London Company and to break up its meetings, which, to his mind, were the hot-bed of sedition. Among the King's supporters were Sir Thomas Smythe, Robert Rich (Earl of Warwick), and many other prominent English gentlemen and merchants. In other words, the merchant class, who had the monopoly of the trade, were afraid of the liberal policies of the Sandys-Southampton people who were led by Sir Edwin and the Earl, with their able associates George Sandys, the Ferrars, the Earl of Dorset, William Cavendish and others. In 1623 the King, disgusted with the management of the London Company, sent a commission to Virginia to report on the state of the colony. Its report was adverse to the London Company, claiming that its management of Virginia was unsatisfactory. The Virginians sent a commissioner saying that they were thoroughly satisfied with the government they enjoyed. The London

Company itself prepared an answer to the King. However, James pushed proceedings to a finish, and by *quo warranto* Chief Justice Ley declared the charter of the London Company null and void. Thus ended, in 1624, the rule of the London Company in Virginia.

Fortunately for the students of history, the proceedings of this Company were preserved by Nicholas Ferrar and were finally bought by William Byrd, of Virginia, and, passing through several hands, reached Thomas Jefferson, and with his library were purchased by the United States. To-day they are preserved in the Library of Congress.

Virginia now became a royal province, but the work of the London Company could not be entirely undone. To this great trust or corporation is due the establishment of the first permanent settlement in America at the expense of several millions of dollars to the incorporators. The establishment of a representative form of government in the new world is a heritage which we have from the London Company. It was the purpose of James to take from the colony much of the freedom in governmental affairs which it had enjoyed under the London Company. Fortunately for Virginia, James died before he could prepare a plan of government for the colony, and Charles I. was persuaded by the Virginians, who granted him certain duties on tobacco from the colony, to continue a representative form of government. Thus one of the most abiding influences of the London Company—popular government—was preserved in the American colonies and eventually produced our republic.

Bibliography.—Brown: *Genesis of the United States;* Campbell: *History of Virginia;* Chandler and Thames: *Colonial Virginia;* Connor: *Beginnings of English America;* Fiske: *Old Virginia and Her Neighbors;* Hariot: *A Brief and True Report of the New Found Land of Virginia;* Hening: *Statutes at Large;* Kingsbury: *Records of the Virginia Company*

of London; Neill: *The Virginia Company;* Smith, John: *General History of Virginia;* Tyler: *Cradle of the Republic, England in America, Narratives of Early Virginia.*

JULIAN ALVIN CARROLL CHANDLER,
Professor of History, Richmond College; author of Makers of Virginia History, etc.

CHAPTER II.

VIRGINIA AS A ROYAL PROVINCE, 1624-1763.

Government of the Royal Province of Virginia.

After the dissolution of the London Company, affairs were very much depressed in the colony on account of the uncertainty attending land titles and even the form of government. King James declared that he did not intend to disturb the interest of either planter or adventurer, but as he subsequently appointed a commission consisting of opponents to the Company to take charge, temporarily, of Virginia affairs the people did not know exactly what to expect. Serious fears were entertained as to the fate of the representative government, which they had enjoyed under the Company; for while the then governor, Sir Francis Wyatt, and twelve others in Virginia as councillors were authorized to conduct the local government, no summons went out for an assembly. King James, however, died March 27, 1625, and by his death the commission for Virginia affairs in England expired.

Charles I. had all the arbitrary notions of his father, but fortunately he was under personal obligations to Sir Edwin Sandys and Nicholas Ferrar, Jr., and for their sake he dismissed the former

royal commissioners and intrusted affairs relative to Virginia to a committee of the Privy Council friendly to the old Company. The Virginians sent George Yeardley to England, and as the result of his representations he was returned as governor; and not long after, on March 26, 1628, under instructions from the King, the regular law-making body again assembled at Jamestown—an event second only in importance to the original meeting in 1619. It seems that the division of the General Assembly into two chambers—the council sitting as an upper house and the representatives of the people sitting as the lower house in imitation of the houses of Parliament—dates from this period. Never again were the regular sessions of the law-making body interrupted, and the Virginians, practically left to themselves by the King, enjoyed a larger share of free government than could have been possible under the Company.

Claiborne's Struggle for Territorial Integrity.

The question of land titles was kept in uncertainty for a much longer period. Despite the assurances of King James, which were repeated by his son, Charles I., the colonists and those interested in England were soon given to understand that the privileges of the planters and adventurers did not extend to unoccupied lands. On Oct. 30, 1629, the King granted to Sir Robert Heath the province of Carolina in the southern part of Virginia between 31 and 36 degrees. And about the same time Cottington, the secretary of state, in answer to an application from George Calvert, Lord Baltimore, promised him "any part of Virginia not already granted." Soon after on the death of George Calvert, a charter was made out on June 20, 1632, to his son, Cecilius Calvert, for that part of Virginia

lying north of the Potomac, which was called Maryland.

It happened, however, that William Claiborne, the secretary of state of Virginia, under the authority of the King, had established within the limits of the proposed province, in 1631, a trading post on Kent Island, which was recognized by the Virginia authorities as a legal occupation. Backed by the Virginia authorities and the members of the old Company, Claiborne disputed the validity of Baltimore's grant, and when this was decided against him by the commissioners for foreign plantations, he contested the point as to Kent Island itself, holding it to be expressly excepted by the terms of the charter, which described the land given to Lord Baltimore as "hitherto unsettled and occupied only by barbarians ignorant of God." The government in England vacillated from one side to the other, and as a result there was a miniature war in which several persons were killed in Chesapeake Bay. Great excitement prevailed in both colonies, and in Virginia much indignation was felt against the governor, Harvey, who upheld the cause of the Marylanders, and in his general conduct reflected the views of the court party in England. He acted in important matters without the consent of his council, which was contrary to his instructions; he attempted to lay taxes and suppressed a petition addressed to the King by the Assembly on the tobacco contract. Matters came to a crisis in April, 1635, when the council turned Harvey out of office and shipped him back to England.

This deposition of a royal governor mightily surprised King Charles, who declared it an act of "regal authority." He restored Harvey to his government, and on April 4, 1638, the commissioners for foreign plantations rendered a report giving

Kent Island and the right of trade in Chesapeake Bay wholly to Lord Baltimore, and leaving all personal wrongs between the parties to be redressed by the courts.

This territorial question at last seemed settled, but in the vicissitudes of English politics King Charles soon found it wise to once more turn a favorable ear to the friends of the old Company, and on Jan. 16, 1639, Sir Francis Wyatt, who had governed in Virginia acceptably once before, was commissioned to succeed Harvey. The agitation for a renewal of the charter was resumed and George Sandys was sent to England as agent for the colony to present to the King the wishes of the people. But soon another change in politics ensued by the breach between King and Parliament, and Sandys, despairing of success with the King, appealed to the Parliament, and the Virginia patent was taken out again "under the broad seal of England."

To offset these proceedings the King commissioned Sir William Berkeley, a vehement royalist, as successor to the popular Wyatt, and he arrived in Virginia in January, 1642. Under his influence the General Assembly changed views, and a petition against the restoration of the Company was presented to Charles at his headquarters in York on July 5, 1642. He returned a gracious reply that "he had not the least intention to consent to the introduction of any Company."

The civil war between the King and Parliament greatly influenced affairs in America. The inhabitants of Kent Island were Protestants and were restless under the new authority of Lord Baltimore, who was a Catholic. As a consequence civil war ensued in Maryland between the Protestant and Catholic factions. In Virginia the Indians, encouraged by the rumors of war in England, attacked the

colonists and killed over 300. Nevertheless, Lord Baltimore in Maryland and Sir William Berkeley in Virginia managed to assert their authority over Indians and Parliamentarians alike. In Maryland the chief agitator, Ingle, was expelled, and in Virginia the savages, by the activity of Claiborne and other officers, were driven far away into the forests. Old Opechancanough, the Indian chief, was captured, and peace was not long after made with Necotowance, his successor, by which the Indians agreed to retire entirely from the peninsula between the York and James rivers, and from the south side of James River as far as the Black Water.

In 1649 Maryland was the gainer by an emigration from Virginia of over 1,000 Puritans, who would not accept the forms of the Church of England; but Virginia did not feel the drain because of the much larger accession to her numbers through the civil war in England. These new people were not like many of the old settlers, servants who went thither to make tobacco, but English yeomen, merchants and gentlemen, frequently of great estates and influential family connections, who crossed the seas to make homes. Tobacco planting was, in fact, no longer much of a temptation, as the price had fallen from 10 shillings a pound in 1612 to one penny a pound in 1642.

Commonwealth Period in Virginia.

The execution of King Charles in 1649 caused much excitement in Virginia, and under the influence of the immigrant cavaliers Sir William Berkeley denounced the murder, and the General Assembly declared it treason either to defend the late proceedings or to doubt the right of his son, Charles II., to succeed to the crown.

This was bold talk, but the challenge thus ten-

dered was not unnoticed by Parliament very long. In October, 1651, was passed the first of the navigation acts which limited the colonial trade to England, banishing from Virginia the Dutch vessels which hitherto carried abroad most of the exports. About the same time having taken measures against Barbadoes, the council of state ordered a squadron to be prepared to reduce Virginia and Maryland. Thomas Stegge, Richard Bennett and William Claiborne, members of Berkeley's council, were made commissioners, and the result was that in March, 1652, when the fleet appeared before Jamestown the assembly and council overwhelmed Berkeley to make an accommodation. The Virginians recognized the authority of the commonwealth of England, and promised to pass no statute contrary to the laws of Parliament. On the other hand the commissioners acknowledged the submission of Virginia "as a voluntary act not forced nor constrained by a conquest upon the country." They conceded to the General Assembly the sole right to lay taxes, and promised to secure to her the ancient limits granted by the former royal charter. Bennett was made governor, and Claiborne secretary of state, and Berkeley retired to Green Spring, near Jamestown, where his home was the favorite resort of fugitive cavaliers.

The commissioners then proceeded to St. Mary's, the capital of Maryland, where they met with even less resistance than at Jamestown.

During the next six years the Virginians had pretty much the control of their own affairs. Despite the navigation act they renewed their trade with Holland and prospered accordingly, and in 1654 there were fifteen counties inhabited by about 22,000 people. Benjamin Symes founded a free school in 1635 and Thomas Eaton one in 1659, and the General Assembly required the churchwardens

to see that all poor children were taught to read and write.

In this time there was but one serious setback. Maryland was, until 1657, practically ruled from Virginia by the commissioners Bennett and Claiborne, who vigorously asserted against Lord Baltimore the rights of Virginia to all territory claimed by him in Maryland. But Lord Baltimore paid such court to Oliver Cromwell and made to him such exaggerated statements of his devotion to the commonwealth that the Virginia representatives, seeing that they could accomplish nothing, hastened to make an accommodation. They recognized his Lordship's authority in Maryland, and sought only in return to guarantee to the Protestant inhabitants of Maryland their individual land titles and the maintenance of the toleration act of 1649.

During the anarchy in England following the resignation of Richard Cromwell from his office as Lord High Protector, the Assembly of Virginia assumed the supreme power, and, on the death of Gov. Samuel Matthews, recalled Sir William Berkeley to the government in March, 1660. Two months later General Monk proclaimed Charles II. in London, and his example was joyfully followed at Jamestown by Sir William Berkeley, September 20.

Bacon's Rebellion.

Claiborne's struggle to preserve the integrity of the domain of Virginia was at an end, and a new era identified with the name of Nathaniel Bacon commenced. The rebellion which broke out sixteen years after the restoration was mainly produced by the long continued exercise of prerogative conflicting with the rights of the people. Thus against the protest of the colonists the navigation act was reenacted by Charles II. in 1663, and by its strict en-

forcement caused a great depression in the sale of tobacco. Then titles to lands were rendered very uncertain by extensive grants to Lord Culpeper and other court favorites, and there was a heavy burden of taxation due to the extravagance of officials in Virginia. The Assembly called in 1662, composed of the friends of the governor, continued for fourteen years, and by it taxes were imposed for towns that never flourished, and for public utilities that exceeded the needs of the people and cost three times as much as they were worth. To all these impositions on the people by government were added other misfortunes—invasions in 1667 and 1673 by Dutch fleets, which destroyed the shipping in the river, and the ravages of a great storm in the former year which blew down 15,000 houses (principally tobacco barns) in Virginia and Maryland. At length, in 1676, matters were brought to a crisis by troubles with the Indians, who committed many murders on the frontiers of the settlements, which stretched at that time to the falls of the different rivers. The people begged Nathanial Bacon, Jr., of Curls, in Henrico county, to protect them; and he, after petitioning Governor Berkeley in vain for a commission, went out against the Indians on his own authority. He won a great victory over the Occaneechees on an island in the Roanoke River, and on his return home was elected to the new Assembly which convened at Jamestown June 5, 1676. Berkeley resented Bacon's fighting without his authority and, when the latter came to the Assembly, he had him arrested for high treason; but as Bacon's friends were very numerous, Berkeley soon let him go and restored him to his seat in the council.

The conciliation was not cordial, and after a few days Bacon, fearing that his life was in danger, secretly left Jamestown and hurried home to Hen-

GOV. BERKELEY AND BACON THE "REBEL."

rico. Here his neighbors thronged around him and begged him to lead them down to Jamestown. Bacon consented, and on June 23 he was again at the island, this time with 500 men at his back. Yielding to force, the governor gave him a commission and the legislature passed some very wholesome laws, correcting many long-standing abuses, and among them was one making the bounds of "James City" include the whole island as far as Sandy Bay, and giving the people within those limits the right for the first time of making their own local ordinances.

Bacon returned to Henrico and was on the eve of going out for a second time against the Indians, when news arrived that Berkeley was over in Gloucester county, endeavoring to raise forces to surprise and capture him. This caused him to give up his expeditions and to direct his march to Gloucester, where, having arrived, he found that the governor had fled to Accomac. Bacon thus left supreme, summoned the leading men of the colony to Middleton Plantation, and there on August 1 made them swear to stand by him even against soldiers sent from England, saying "500 Virginians might beat 2,000 redcoats." After this his next move was to lead his troops against the Pamunkeys, whom he discovered and defeated in the recesses of the Dragon Swamp, somewhere in King and Queen county. But his troubles did not end, and when he returned to the settlement he found the governor once more established at Jamestown.

Bacon made straight for his antagonist, and having arrived on September 13 in "Paspahegh Old Fields" across from the island found that Berkeley had fortified the isthmus on the island side. He caused his men to throw up some earthworks, and in an engagement on the neck soon after killed some of Berkeley's soldiers, which so disheartened the

rest that they took ship and abandoned Jamestown. Bacon, thereupon, entered the town and, supposing that Berkeley would soon return, gave orders for its destruction, setting the example by applying a torch to the church, while Lawrence and Drummond, his two most important supporters, fired their own houses. In the general conflagration the state house and church perished with the other buildings, but Drummond did a good deed in saving the public records.

Berkeley, driven from Jamestown, made the house of Col. John Custis in Northampton county his headquarters, while Bacon, after pillaging Green Spring, marched to Gloucester and encamped at Major Pate's house, near Poropotank Creek, where he was taken sick, and died Oct. 26, 1676. The rebellion being without a real leader soon collapsed. It continued, however, for a few months longer under Ingram and Walklate, but they soon made haste to ensure their own safety by surrendering West Point in January, 1677. Lawrence, who was at the "Brick House" opposite, was informed of the treachery, fled to the forest and was never heard of again, but Drummond was taken and presented to Berkeley at King's Creek, Jan. 19, 1677, the day he first set foot on the western shore after the flight from Jamestown in September previous.

Berkeley hanged Drummond and about forty other of the insurgents, and would have hanged more had his hand not been stayed by the royal commissioners sent over by the King to enquire into and report upon the disturbances. They brought a summons from the King for his return, and there was great rejoicing among the people when he finally departed, May 5, 1677, for England, where he died soon after his arrival.

Sir Herbert Jefferys, one of the commissioners, succeeded Berkeley as lieutenant-governor, but the

spirit of the late troubles dominated politics during his administration and for several years later. The excesses of Berkeley and his adherents turned the sympathies of Jefferys and the other commissioners against them, and for the next twelve years "the Green Spring" faction, as the friends of Berkeley were called, were found in opposition to the government.

Despite the suppression of the rebellion the work of Bacon was not in vain; for, as a consequence of his stout measures, the colonists got rid of Berkeley and the rule of the aristocracy, and obtained through the commissioners an opportunity to state their grievances, and many of the abuses were remedied by the express command of the King. Thus Lord Culpeper surrendered his more extensive grant of the whole of Virginia and retained only his title to the Northern Neck, and no similar grants were ever again made by the Kings of England. Moreover, the punishment inflicted by Bacon upon the Indians removed any trouble from that source for many years. Finally, as we have seen, the political tables were reversed and the friends of Berkeley learned to have more sympathy with the rights of man. Under the form of the government Robert Beverley and Philip Ludwell, who had upheld Berkeley in his contest with Bacon, became the representative of the dearest rights of the people which they had at one time despised. As a punishment for their resistance to the attempts of governors Jefferys, Culpeper and Howard to tamper with the journals of the house, to suppress the *writ of habeas corpus,* to assume the right to lay taxes, and to exercise the right of a double negative on the acts of the Assembly, Beverley and Ludwell were deprived of their respective offices as clerk of the House of Burgesses and member of the council. These jealousies inherited from

Bacon's rebellion entered into the restlessness of the people in 1682, when the low price of tobacco seemed to portend another rebellion.

The people clamored for a law to limit the amount of tobacco to be raised, and when the General Assembly adjourned without taking any action the people in the counties of Gloucester and Middlesex ran from one plantation to another and cut down the growing plants. The governor sent a military force against them, and the disturbances were speedily suppressed. Several of the ringleaders were hanged, and Beverley was much persecuted because of his professed sympathies with the plant-cutters.

Other commotions ensued when the governor and his council delayed to recognize the revolution in England, in the winter of 1688-1689. Roman Catholics were believed to be concerting with the Indians to murder the Protestants. There was great excitement in the Northern Neck, where the people were boldly harangued by a preacher named John Waugh. Finally in April, 1689, fears were quieted by orders received from England to proclaim the new sovereigns, and "with unfeigned joy and exultation" William and Mary were declared sovereigns of England and her dominions.

The English Revolution Ushers in a New Era.

The accession of the new sovereigns was the beginning, politically, educationally, religiously and territorially, of a new era in Virginia. The population had reached 85,000, and an immense increase of negro slaves placed white people above dependence on tobacco and rendered them prosperous. From this period also dates the complete ascendency in colonial affairs of the popular House of Burgesses, though after all but two of the attacks made

by the Stuart Kings upon public and private rights had the character of permanency. These exceptions were the navigation law and the suffrage restrictions, though in the latter case the political rights of the people were not so greatly affected as one might suppose.

Down to 1670 everyone above the condition of a servant had the right of suffrage for members of the House of Burgesses. In that year the suffrage was limited by Berkeley's long parliament to householders and freeholders. This law was repealed by Bacon, but reëstablished under orders from the King by the Assembly which met after Bacon's rebellion. And yet the limitation was more in words than in reality, for as the law did not define the freehold manhood suffrage remained practically the constitution of Virginia till 1736, when the first real restriction on the suffrage was made. Nevertheless, even after that time the proportion of voters in Virginia was greater than in Massachusetts.

Educationally also, the colony took a new turn for the better. Free schools were established in most of the counties, and in 1693 a college was erected at Middle Plantation which took the names of the reigning monarchs—William and Mary. This institution served the purpose of educating most of the leading characters of Virginia during the War of the Revolution. The transfer of the capital to Williamsburg, in 1699, emphasized the onward march of events.

In a religious significance there was also a great change during this era. Hitherto the uniformity of worship according to the rules of the English church had been very little disturbed, but the end of the period witnessed more than half of the people of Virginia turned dissenters.

Greatly affecting all the tendencies of Virginia

life was the train of events which marked the long contest between England and France for dominion on the continent. The effect of this quarrel was to bring the different colonies into closer affiliation with one another and to prepare the way for the American Revolution. Though the government of Virginia after 1697 was directed by a line of lieutenant-governors, while the chief office was a sinecure for somebody in England, it was vigorously managed, and there were fewer abler executives anywhere than Francis Nicholson, Alexander Spotswood, William Gooch and Robert Dinwiddie. They were singularly active in asserting the English title to America and resisting the French and Indians. Nicholson, who was lieutenant-governor from 1690-92 and from 1697-1705, followed up and carried yet further a suggestion made by Lord Culpeper for a confederation of the colonies, under the supremacy of the loyal colony of Virginia. He was a warm friend of the college, promoted the building of a capitol at Williamsburg, at the close of the century had a census made of the inhabitants, schools, churches and property in the colony, and reported the urgent need of reform in the militia and military defenses. His hot, peppery temper, however, got him into trouble with Dr. James Blair, president of the college, and the members of his council, and in 1705 he was recalled to England.

Western Movement and Settlements.

Two important events were connected with the administration of Edward Nott, his successor—the burning of the college in October, 1705, and the passage of an act shortly after for the erection of a governor's house or palace. In 1710 Alexander Spotswood, one of the most active men of the age, became governor. He bestowed much attention

upon the improvement of Williamsburg and assisted in building a new brick church in Williamsburg and in restoring the college. He purged the coast of pirates, built an armory in Williamsburg, encouraged innocent social gatherings and promoted the iron industry, but his largeness of view was more especially seen in his plan of preventing the French design of connecting Canada with Louisiana by wedging the frontiers of the colony in between these northern and southern possessions of France.

He got the legislature to lay out two new counties —Brunswick and Spotsylvania—to act as buffers against invasion, and established a fort respectively in each, Christanna and Germanna. In 1716 he led from Williamsburg to the valley of the Shenandoah an expedition which blended romance with politics. He claimed the country for King George, and upon his return to Williamsburg he presented every one of his company with a golden horseshoe bearing the inscription *Sic Juvat Transcendere montes.*

Spotswood's opinion of the significance of his exploration is exhibited in a letter to the Board of Trade. In recent years, he says, the French have built fortresses in such positions "that the British plantations are in a manner Surrounded by their Commerce w'th the numerous Nations of Indians seated on both sides of the Lakes; they may not only Engross the whole Skin Trade, but may, when they please, Send out such Bodys of Indians on the back of these Plantations as may greatly distress his Maj'ty's Subjects here, And should they multiply their settlem'nts along these Lakes, so as to joyn their Dominions of Canada to their new Colony of Louisiana, they might even possess themselves of any of these Plantations they pleased. Nature, 'tis true, has formed a Barrier for us by that long Chain of Mountains w'ch run from back of South Carolina

119923

as far as New York, and w'ch are only passable in some few places, but even that Natural Defence may prove rather destructive to us, if they are not possessed by us before they are known to them. To prevent the dangers w'ch Threaten his Maj'ty's Dominions here from the growing power of these Neighbours, nothing seems to me of more consequence than that now while the Nations are at peace, and while the French are yet uncapable of possessing all that vast Tract w'ch lies on the back of these Plantations, we should attempt to make some Settlements on ye Lakes, and at the same time possess our selves of those passes of the great Mountains, w'ch are necessary to preserve a Communication w'th such Settlements."

Unfortunately Spotswood's haughty carriage and impatience of contradiction involved him, as Nicholson had been, in quarrels with the council and Dr. Blair, president of the college, and he was removed in 1722.

However, Spotswood's visit to the valley of Virginia was soon to bear valuable fruit. During the administration of Sir William Gooch the immigration to Virginia was so great that population doubled, being, in 1749, upwards of 292,000. In the eastern section there was a large addition of negroes, which aroused serious fears and called forth repeated legislative acts to restrict the importation, which were always vetoed by the home government. But the greatest changes ensued in the western portion of the colony. Starting with the year 1726 the great valley between the Blue Ridge and the Alleghany Mountains began to fill up with large numbers of German and Scotch-Irish settlers, who soon carried the English frontier against the French line of advance.

This made the contest more realistic to Virgin-

ians, for hitherto the scene of actual hostilities was along the Canadian border, and the colonies to the south of New York were not directly involved.

Intercolonial Affairs and Indian Wars.

In 1739 England declared war against Spain, of whom France was secretly an ally, and in 1740 Virginia coöperated with the other colonies and the mother country in sending an expedition against Carthagena—a city of Central America. The Virginia troops were under the command of the late governor, Alexander Spotswood, who died at Annapolis just as they were ready to embark, and thereupon Governor Gooch assumed command of the colonial contingent. In the attack upon Carthagena Gooch was severely wounded, and the expedition proved a failure. Four years later England declared war against France, and the General Assembly appropriated £4,000 to the raising of Virginia's quota of troops for an invasion of Canada by a joint British and colonial army. They sailed from Hampton in June, but the British auxiliaries failed to appear and the Virginians returned home not long after. Governor Gooch was again offered the command of the colonial soldiers but declined. Nevertheless, in recognition of his services at Carthagena, he was made a major-general the next year. At length in 1749, after a long and popular administration, he returned with his wife—Lady Rebecca Stanton Gooch—to England, where he died, Dec. 17, 1751.

In the meantime the settlement of the valley had been accomplished, and many enterprising spirits were looking to the country beyond the Alleghanies. In 1748 some of the valley settlers crossing the Alleghanies made a settlement at Draper's Meadows upon Greenbrier River. The next year 500,000

acres of land, lying west of the Alleghanies and south of the Ohio River, were granted to a company of planters and merchants called the Ohio Company for the purpose of settlement. Christopher Gist, as agent for the Company, was promptly dispatched to explore the country, and he visited what are now the states of West Virginia, Kentucky and Ohio. While he was absent on this business the Company constructed a trading house at Wills' Creek, now Cumberland, Maryland, near the head of the Potomac, and in 1752 they built another stockade on the Monongahela.

And neither were the French idle during this time. In 1749 they sent an expedition to the Ohio River under Celeron de Bienville, who was charged with the double purpose of taking possession by planting leaden plates graven with the French claim, and of driving out the English traders who were found already swarming into the country.

In the spring of 1753 the French erected a log stockade called Fort Le Boeuf, upon French Creek, a northern tributary of the Alleghany River, and soon after another outpost was established by them at the Forks of the Ohio, 120 miles to the south. The English trading post at Venango, at the junction of French Creek and the Alleghany, was seized and occupied by a small detachment from Le Boeuf.

It was fortunate that at this juncture the government of Virginia was in the hands of such an active man as Lieut.-Gov. Robert Dinwiddie. He was a Scotchman and came over in 1751. He was an able man, a hard worker, and by his alertness in detecting a fraud in the collection of the customs was appointed "surveyor-general of the customs of the southern part of the continent of America," and afterwards chief magistrate of the colony of Virginia.

Dinwiddie resented the intrusion of the French, and in October, 1753, sent Maj. George Washington, adjutant-general of the colonial militia, guided by Mr. Gist, to remonstrate with them against occupying a district "so notoriously known to be the property of the crown of Great Britain." Washington, then only 21 years of age, was already a man of mark. After a dreary and hazardous voyage Washington and his small party of attendants arrived late in November, first at Venango and then at Le Boeuf. The French commandant read Dinwiddie's letter, but returned word that he would hold his ground till ordered off by his superior, Marquis Duquesne, the governor of Canada. Washington thereupon set out for Williamsburg, where he arrived Jan. 15, 1754, after an absence of eleven weeks and a journey of 1,500 miles.

Upon receiving Washington's report, Governor Dinwiddie authorized William Trent, of Lexington, to march with a small company to build a log fort at the Forks of the Ohio. Another company was to rendezvous at Alexandria and proceed to the same point, and Washington was to take command of both as major. In February the Assembly voted £10,000 to support the governor's purposes, and he was thereby enabled to increase his force to a regiment of 300, making Joshua Fry colonel and George Washington lieutenant-colonel. On April 2, 1754, Washington began his march from Alexandria with about fifty men to help Captain Trent, but on the 20th news reached him that the fort was taken by a force of French and Indians of more than twenty times the number of the garrison. Trent's command of thirty-three men joined Washington at Wills' Creek, and the latter, undaunted by the report of superior force before him, marched with about 300 men through the mountain passes to within a short distance of the

Forks of the river, where the French had converted Trent's little work into a stronghold which they called Fort Duquesne. Here Washington, at the head of a scouting party, came in contact with a scouting party of French commanded by the Count de Jumonville. The Virginia commander promptly attacked and defeated the French with the loss of their commander and about twenty men. This was the first regular battle of the war, and greatly incensed the French at Fort Duquesne who, on receipt of the news, sent a large force to attack the Virginians. Washington, after proceeding as far as Gist's plantation, thought it prudent to retreat, and at the Great Meadows erected a stockade which he called Fort Necessity. Here on July 3, sorely distressed for provisions and ammunition, he was closely besieged by the enemy possessed of double his numbers. Finding that he could not hold out successfully, Washington listened to terms of accommodation. The fort was surrendered and he was allowed to march his troops back to their homes. The French had now complete possession of the west, but the behavior of the Virginia troops met with the warm applause of their countrymen, and Washington was more highly thought of than ever.

Dinwiddie, more than any of the colonial authorities, realized the gravity of the situation and was not idle under defeat. He persistently appealed for assistance to the home authorities, who at last were moved to the importance of regaining the country back from France.

The war proved at first very disastrous, however, under the weak administration of the Duke of New Castle in England. In 1755 Gen. Edward Braddock sent with a strong force of British regulars to capture Fort Duquesne, was caught in an ambush and slain with many of his men. Indeed, Washington

and his Virginians alone saved the army from complete destruction. In the North the French under General Montcalm captured Oswego and Fort William Henry, and the torch of their Indian allies enveloped the frontiers with fire. For four years the evil days followed one another, and amid all these disheartening scenes Washington and his 1,500 Virginia riflemen presented the only bright and redeeming picture. Theirs was the task of protecting 350 miles of frontier and they performed their duty well. The arduous work of supporting and directing these troops fell to Gov. Robert Dinwiddie, and that on the whole he met the varied and onerous duties of his trust with ability is attested by the repeated commendations which he received from the English ministry, and the General Assembly and people of Virginia. In 1758 he was relieved from the post of governor of Virginia at his own request, and sailed for England in January. After his departure Hon. John Blair, as president of the council, was acting governor till relieved by Francis Fauquier, who arrived as lieutenant-governor on June 17, 1758.

Shortly after Fauquier's coming the war with France, under the guidance of the great William Pitt at the head of affairs in England, took a course of uninterrupted British success. In July, 1758, Wolfe captured Louisburg, the famous stronghold of the French on Cape Breton Island; in August Fort Frontenac fell before Bradstreet, and in November Gen. John Forbes, assisted by Washington, captured Fort Duquesne. The next year Quebec, the very centre and heart of the French power in America, fell before the assault of the intrepid Wolfe. The fall of Quebec was sealed with the death of the great general, Montcalm, who had been the soul of the French resistance. The next year Montreal surrendered, and as a result a peace was made, by the

terms of which all the possessions of France on this continent passed into the hands of England. Then France, by defeats in other quarters of the globe, also lost extensive holding in Asia and the West Indies. Great Britain never appeared half so imperial as at the conclusion of this war, but out of this triumph were to grow domestic difficulties which avenged France for her misfortunes and ultimated in the independence of her American colonies.

Social Conditions, 1760.

The period of Fauquier's administration has been called the golden age of colonial Virginia. The people in the old settled portions were in possession of many of the comforts that dignified the life of the higher classes in England. In contrast to the log cabin of the early settlers the majority of the homes were comfortable wooden structures of a story and a half, while the wealthy planters lived in large square brick houses with handsome paneling and superior furniture. As to the means of getting about, the country was interlaced with roads which were good nine months of the year and very bad the other three. In the earliest days the only means of travel was by horse; carts were introduced about 1618. At the close of the Seventeenth century carriages were in use, and at the time of which we speak the chariots of Virginia were as costly as the best in England. It was generally conceded that the horses of Virginia were the finest in America.

In table diet the mode of living was distinctively higher than in the northern colonies. There was a great display of plate and variety of eatables, and the gentry had their "victuals dressed and served up as nicely as if they were in London." As to learning, the county court and vestries saw to the education of the poor, and the sons of the well-to-do had

the benefit of private teachers, public schools, the College of William and Mary and the European colleges. Jefferson wrote to Joseph C. Cabell, in 1820, that "the mass of education in Virginia before the Revolution placed her among the foremost of her sister states." Domestic commerce was extensive, and the rivers and the creeks swarmed with small craft, all of which were made in Virginia; as early as 1690 ships of 300 tons were built, and afterwards trade to the West Indies was conducted in ships of Virginia make.

BIBLIOGRAPHY.—Andrews: *Colonial Self Government;* Beverley, Robert: *History of Virginia* (1722); Bruce: *Social and Economic History of Virginia;* Burke, John D.: *History of Virginia;* Campbell, Charles: *History of the Colony and Ancient Dominion of Virginia;* Doyle, J. A.: *British Colonies in America; Letters of Alexander Spotswood* (2 vols.); *Letters of Robert Dinwiddie* (2 vols.); Fiske, John: *Old Virginia and Her Neighbors, Calendar of State Papers;* Force: *Tracts;* Greene: *Provincial America* (Vol. VI. of Hart's *American Nation*); Hening: *Statutes at Large;* Howison, R. R.: *History of Virginia;* Hartwell, Blair and Chilton: *An Account of the Present State of Virginia;* Jones, Hugh: *Present State of Virginia;* Neill: *The Virginia Company* (1868), *Virginia Carolorum* (1886), *Virginia Vetusta* (1885), *Virginia and Virginiola* (1878); Stith, William: *History of Virginia* (1747); Thwaites: *France in America* (Vol. VII. of Hart's *American Nation*); Tyler: *England in America* (Vol. III. of Hart's *American Nation*), *Cradle of the Republic, Jamestown and James River; Virginia Historical Magazine* (15 vols.); *William and Mary College Quarterly Historical Magazine* (16 vols.); Virginia *Historical Register.*

LYON GARDINER TYLER,

President William and Mary College; editor Narratives of Early Virginia; author The Cradle of the Republic, Williamsburg, The Old Colonial Capital, etc.

Chapter III.

THE ECONOMIC AND SOCIAL LIFE OF VIRGINIA IN THE SEVENTEENTH CENTURY.

I.—The Plantation System.

Throughout the Seventeenth century the entire system of Virginia life rested, not upon a civil division—the township, as in New England, but upon an economic division—the plantation. A just conception of its economic framework, either in whole or part, may be obtained by studying the character of a single large plantation in any section of the colony. The community was simply a series of plantations, differing one from another really only in size; in all, the same staple crop was produced, the same kind of labor was employed. Practically, the cultivation of tobacco was the only occupation. There were no towns, no organized manufactures, few trained artizans. A perfect simplicity, an almost complete monotony, was the universal economic keynote.

Taking the plantation as the centre of the economic life, it is easy to follow the growth of one of these communities from its very birth. The pressure of the advancing landowners against the barrier of the frontier forest was, from the start, like the pressure of an army besieging a town; the progress was step by step, but ever forward, irresistibly though slowly. A public grant of one little corner in the wilderness, at the outer edge of the settlements, was followed by the grant of another corner, close at hand but slightly ahead, until what was wild land to-day became tilled and inhabited land to-morrow. Most of these patentees were men who had been long

established in the colony, and who, in choosing new ground, understood by experience what were the physical conditions desirable. There were two of prime importance: first, the soil must be rich in the elements suitable for tobacco, the best indication of which would be a thick growth of towering trees; secondly, the land must lie upon the banks of a stream navigable either by ships or shallops, so as to give access to the great highway of the ocean and thereby to the markets of the world.

Having inspected the soil, satisfied himself as to its quality and defined its bounds, the would-be grantee petitioned the Governor and Council to issue, in his favor, the necessary patent, under the colony's great seal. These officers, in consenting, were presumed to represent the King, in whom the paramount title to every acre was supposed to be invested. This was the legal fiction even before the Indians had been driven from the lands which they had held long before the English throne itself had come into existence. The King's right was thought to be as positive, absolute and exclusive as if it had descended undisputed from a remote ancestry. But in spite of this view there was, especially after the revocation of the charter in 1624, a disposition to recognize the Indian's real ownership of the country back of the frontier. This arose from a desire to avoid all causes of quarrel with those restless and treacherous people. But whether the paramount title of the King had been acquired by force or by treaty, the method of conferring on the private individual title in a given area of ground was substantially the same throughout the century—the only difference was that, in the company's time, the governor and council issuing the patent had to transmit it to the quarter court in London for confirmation, while, after the company's overthrow, the patent

was granted under a general law which did away with such unnecessary delay.

There were two grounds on which the public lands were conveyed to individuals. First, the performance of public services which were thought to be worthy of some reward. During the company's existence such services were generally performed only by officers of state who had made extraordinary sacrifices of ease and fortune to increase the prosperity of the colony. Latterly, meritorious service usually consisted of some form of self-exposure in defending the frontiers against Indian attack.

But by far the most important basis of conferring title was the headright. Every person who came out to the colony or paid the expense of some other person's transportation, whether a member of his own family, a friend or a servant, could claim a patent for fifty acres out of the public domain. There was but one condition imposed: the person or persons whose importation had led to the grant must remain in Virginia at least three years, unless in the interval overtaken by death.

The headright was one of the most farsighted of provisions. In that age there were no such facilities for crossing the ocean as exist at the present day, when even the European peasant can meet all the costs of the passage. So expensive was the voyage then that, unless the importer had been allowed fifty acres in compensation for his outlay for every person, including himself, brought over by him, only a small number of the agricultural servants could have found their way to Virginia; and without that class, the destruction of the primæval forest would have gone on very slowly. But in addition to this, the headright gave the practical assurance that the appropriation of the soil would not outstrip the growth in population. If any one could have secured a

patent by paying down a sum of money, vast tracts of land would have been acquired in the most favored regions, to be held simply for speculative purposes, without any attempt at seating or tilling them. Especially was this to be deprecated in times when the proximity of a navigable stream to every estate was considered to be indispensable. It would not have been long before all the eligible parts of the public domain would have been engrossed by the wealthy colonists.

The expense of the ocean passage in the Seventeenth century was about six pounds sterling. Such was the amount which citizens like William Fitzhugh or William Byrd had to pay for every servant whom they imported, which would signify that each of these opulent planters obtained the fifty acres granted in compensation, at the rate of two and two-fifths shillings, or, in our modern currency, two dollars and eighty-five cents. Very properly, no limit was set to the number of acres to be acquired under the operation of the headright. If a colonist had the means to bring in ten thousand immigrants, he was as legally entitled to 500,000 acres as the man who had brought in one was entitled to fifty acres; but, as a matter of fact, owing to the expense of importing servants, the size of the patent rarely ran over a few hundred acres. Between 1630 and 1650, the average area embraced was 446 acres; between 1650 and 1700, it was 674; but there were instances of grants for as much as 10,000 acres.

When the grant had been made, two conditions had to be observed by the patentee to avoid a forfeiture. First, the plantation had to be seated. A very liberal interpretation of this requirement was permitted—it was deemed to have been fulfilled should the patentee have erected a small cabin of the meanest pretensions on the land; had suffered a

small stock of cattle to range for twelve months in its woods, or had planted an acre in corn or tobacco. In the greatest number of cases, the new plantation was promptly occupied as provided by law, since the owner wished to erect a home of his own at once. The second requirement was the payment to the King of an annual quit rent of twelve pence for every fifty acres in the tract. This rent continued throughout the century to be a cause of ill-feeling in the landowners, as they looked on it as a cloud on their titles, and they used every kind of device either to diminish its burden or to evade it altogether.

The Two Classes of Labor.

When the patentee had acquired a complete title, how did he bring his new lands under cultivation? There were two classes of laborers employed by the planters to this end: (1) white servants bound by indentures for a term of years; (2) African slaves.

During the whole of the Seventeenth century the first class, by its superior numbers, was the most important of the two. When the Dutch ship, in 1619, disembarked its memorable cargo of negroes, the earliest to be transported to the colony, the population of all the settlements consisted largely of these indentured white servants. In 1625 they numbered about four hundred and sixty-four, while the black slaves numbered only twenty-two. Sixty years later the proportion of slaves had risen—there were six thousand white servants and two thousand Africans. During the ninth and tenth decades the proportion of negroes rose higher still, but the white servants continued to hold the economic supremacy as between the two classes of laborers.

There were, throughout the century, two influences at play to swell the number of white servants in the

colony—the one in operation in England, the other in Virginia.

First as to the influence in operation in England. The great bulk of the lower classes in that country at this time were compelled, by the rigid trade laws, to earn a livelihood as laborers in the fields; but the opportunities to do so fluctuated with the prosperity or depression in agriculture. As each parish was required to support its own poor, there was among some parishes, about 1622, a disposition to shirk this charge by allowing their unemployed to wander into other parishes in search of work; this led to restrictive regulations by the parishes suffering most, and finally to the passage of a statute by Parliament which confined the great body of the English laborers to their native parishes, a measure that not only curtailed their personal liberty, but diminished and even destroyed their ability to improve their condition. But to make their state even worse, their wages were fixed at regular intervals by the landowners. In the years in which the price of wheat rose high above the average, as so often occurred, the agricultural laborer's straits were deplorable because the advance in the cost of bread was not or could not be anticipated. Confined to his native parish as to the bounds of a prison, receiving a rate of remuneration which had been dictated by his employer—a rate not furnishing an easy subsistence for himself and his family even in seasons of plenty—compelled to buy his supplies at prices set by the producers, and subject to heavy penalties for the slightest infractions of law—was it surprising that he looked upon emigration to Virginia as a providential opening for improving his condition after a term of years had been served?

Powerful as was the pressure forcing him out of England, the inducements drawing him to Virginia

were more powerful still. The only thing in the colony that was said to be dear was labor, and this continued so throughout the century. The great and uninterrupted demand for agricultural servants had its origin in the physical peculiarities of the country. The very anxiety of the planters to acquire title to the richest soil, as assuring the most profitable crops of tobacco, increased the difficulties in opening up new land, because the growth of timber was in proportion to the fertility of the ground. In removing the forest—this being the supreme obstacle to be surmounted—the settler required the aid of others to carry through the work that was essential. The person who had obtained a patent to fifty or five hundred acres was, in a few years, compelled to sue out a patent to an additional tract in order to again obtain the virgin soil necessary for the production of tobacco of the finest quality in the largest quantity, since, in that age, no manures were used in enriching the fields. This course of acquiring new lands was prolonged for an indefinite series of years. Throughout the whole period he needed the assistance of laborers. As long as there was a surplus population there could be no difficulty in securing these laborers. The facilities for their transportation were ample. Not a year, during the company's existence, passed that English workingmen did not pour into the colony, and after its abolition the stream grew larger and larger in its volume.

Proportion of Criminals.

What was the proportion of criminals among this great class of agricultural servants? In those times there were three hundred offenses in the English code punishable with death, but it seemed too harsh even to the hardened judges of that age to inflict the extreme penalty for most of these offenses. Sen-

tence to transportation was, on their part, a compromise with the more humane feelings of their natures. It is doubtful whether a single convict was imported into Virginia during the Seventeenth century whose case, when tried in the English courts, was not marked by circumstances in mitigation of its heinousness. There are many proofs that all attempts by the English government to impose on the colony utterly abandoned jail-birds met with strong, and generally with successful, opposition by the authorities at Jamestown. A large proportion of the servants who came in as convicts were simply men who had taken part in various rebellious movements, a class of population which, so far from always belonging to a low station in their native country, frequently represented the most useful and respectable elements in the kingdom. It was no crime for Irishmen to defend their own soil against the tyrannical intrusion of Cromwell, or for disaffected Englishmen or Scotchmen to rise up against the harsh and cruel measures of the Second Charles or the Second James. It was the men who loved their homes and were devoted to their church who led these movements; and their followers, in spite of ignorance and poverty, shared their courage, their steadfastness and their patriotism.

The youthfulness of the great majority of the laborers—an additional proof of the comparative smallness of the criminal element in that class—is revealed in a number of ways: by the reports of the early censuses, by the surviving cockets of merchantmen, and by the entries in the county records. It is highly probable that the average age did not exceed nineteen. A considerable section had been obtained by felonious means; it was no uncommon thing in those times to find men and women—"spirits," they were called—in the seaport towns of Eng-

land who earned a livelihood by alluring very young persons to their houses by gifts of sweetmeats, and having cropped the victims' hair so as to alter their appearance beyond recognition, disposed of them to shipmasters engaged in the plantation trade. But there is reason to think that the means employed even by this class were not always so criminal; they played on the ignorance of simple-minded adults, the restlessness of persons in the lower walks of life who were anxious for a change, the despair of those who were sunk in hopeless poverty, and the eagerness of those guilty of infractions of the law to escape from the country. There were also agents of high standing in every great port who were prepared to supply all the servants needed by emigrants of means who intended to open up new plantations. The most constant patron of these agents was the merchant who made annual shipments of various kinds to Virginia, and who exported these servants as so many bales of goods for exchange for the principal commodity of the country. In assigning servants to the planters, he could only dispose of their labor for the period covered by their indentures. In the absence of indentures the length of the term was fixed by the custom of the colony—if the servant was under nineteen years of age, his term lasted until he was twenty-four; if he was over, it lasted for five years. The length of service rarely exceeded seven, as it was contrary to public policy that it should continue too long.

Frequency of Change.

A serious drawback to indentured labor was the frequency of the change distinguishing this form of service. In a few years the servant's time would come to an end, and his place would have to be supplied by another. The planter might introduce an hundred industrious workingmen who might prove

invaluable to him while their covenants lasted, but at the end of five years, when their hands had become skilful and their bodies hardened to the change of climate, they recovered their freedom and almost invariably left the plantation immediately to found homes of their own. Unless the landowner had had the foresight to provide against their departure by the importation of other servants, he would be left without men to tend or reap his crops, or to widen the area of his new grounds. It was not simply a desire to own vast tracts which led the Virginian of that day to bring in successive bands of agricultural servants, whose introduction entitled him to a proportionate number of headrights; in the great majority of cases his object was to obtain laborers who might take the place of those whose terms were on the point of expiring. It was this constantly recurring necessity—which must have been the source of much anxiety and annoyance as well as of a heavy pecuniary outlay—that caused the planter to prefer youths to adults, for, while their physical strength might have been less, yet the periods for which they were bound extended over a longer time.

The Superiority of Slave Labor.

It can be readily seen that, from this economic point of view, the slave was a far more desirable form of property than the indentured servant. As his term was not for a few years but for life, there was no solicitude as to how his place was to be filled. He not only belonged to his master up to death, but generally left behind him a family of children who were old enough to give important assistance in the tobacco fields. In physical strength he was the equal of the white laborer of the same age, and in power of endurance he was the superior. Not only was he more easily controlled, but he throve on

plainer fare and was satisfied with humbler lodgings. Nor was he subject to seasoning—a cause of much loss of time in connection with the raw white laborers; nor could he demand the grain and clothing which, by the custom of the country, were allowed the white servants at the close of their terms—a heavy drain on the resources of even the wealthy planters.

In the light of the slave's economic superiority over the white servant, it is surprising to find that African bondsmen were not earlier imported, in great numbers, into Virginia—the explanation of which lies in the insufficient means then existing for their conveyance across the ocean to supply the demand. It was not until 1680 that the number brought in began to increase substantially, and this was due to the fact that the Royal African Company, which had been chartered in 1662, with the virtual grant of a monopoly, became, either directly or indirectly, extremely active in the traffic. Many of the planters after 1680 transmitted their orders for slaves to their London merchants to be filed with the company's agents in that city, while a large number also were bought, in Virginian waters, of vessels which had been licensed by the company. Many were introduced in New England bottoms straight from the West Indies. In 1649 the negro population was three hundred, in 1671 two thousand, but by 1700 their number had probably quadrupled.

A white agricultural laborer, with the usual term of five years to serve, was valued at from twelve to fourteen pounds sterling. On the other hand a raw negro, as early as 1669, was, on his arrival in the colony, sold by the Royal African Company for twenty pounds. Later on a native male negro adult brought thirty pounds sterling, and a native female from twenty-five to thirty pounds, a sum, in our pres-

ent currency, equal in value to five hundred or six hundred dollars.

Having obtained all the laborers—whether white indentured servants or black slaves—he needed to bring his new plantation under cultivation, what were the crops which the patentee sought to produce? During the first years following the foundation of Jamestown there were spasmodic efforts to produce a considerable variety of commodities. Cotton was experimented with, hemp and flax, mulberry trees for silk and vines for wines. Wheat, also, was sown in small quantities down to the end of the century. But the really profitable crops soon narrowed down to maize and tobacco. Although landowners were dependent upon maize for bread, the General Assembly was compelled to pass a law from year to year to force them to plant a certain acreage in Indian corn. The irresistible disposition was to produce tobacco alone. Never has any other staple entered so deeply into the spirit and framework of any modern community—it was to the colony what the potato has been to Ireland, the coffee berry to Brazil, the grape to France and corn to Egypt; but it was something more, for it was in universal use as the currency in which all debts, from the public taxes to the grave-digger's bill, were paid. Moreover, the whole system of large plantations was directly attributable to the recurring need of virgin soil in tobacco culture, and from that system arose those social characteristics of the higher planting class which gave Virginia such unique distinction in the colonial age.

Apart from the great demand in England for the leaf, tobacco had particular advantages over all other agricultural crops. First, it could be produced in larger quantities to the acre than any other, a fact of vast importance in a country where so much labor

was required to strip the surface of the thick growth of timber preparatory to tillage. Besides, as tobacco could be shipped in a more compressed bulk, a cargo of it was far more valuable than an equal cargo of any other product. The freight charge was proportionately smaller because the price at which the leaf was sold was so much higher.

New England, having practically nothing to export to England, was compelled to exchange her timber and provisions in the West Indies for rum, sugar, molasses and slaves as her only means of procuring the manufactured supplies which she could not herself make at her own hearthstones. Virginia, having a direct trade with the mother country in a commodity always in demand there—a demand that assured its inhabitants an abundance of manufactured supplies—was deprived of one of the strongest motives in which local manufactures have their origin. The English ship which carried away the planter's annual tobacco crop from his own wharf brought back all the clothes, all the furniture, all the tools and all the implements he needed. But while Virginia was not, in the modern sense, a seat of manufactures, it would be inaccurate to say that domestic manufactures in the ruder forms were unknown. There were few homes in that colony which did not contain a spinning wheel or a weaver's frame; there were no important plantations which did not number among its white servants or its slaves skilful carpenters, blacksmiths, saddlers, masons and bricklayers.

II.—Social Life Under the Plantation System.

Such, in brief outline, was the general economic history of each plantation in those early times. The entire community was made up of plantations and plantations only, and, therefore, the economic history

of the single plantation was the economic history of the entire community—with this slight modification that, as the years passed, the ownership of many estates changed hands either by purchase or descent. Long before the end of the century all the lands in the older parts of the colony had been taken up, many substantial mansions erected, influential families founded and all the varied interests of an organized social life created and cemented. When we come to examine the social framework of the community in that age, we find it much more complex than the economic framework. This was due to the existence of several distinct social classes—there was first the African slaves standing on the lowest footing, next the indentured white servants, and finally, overtopping all, the large landowners.

Although for the time being the white servants occupied a very subordinate position socially, yet it was from this class that the ranks of the small landowners were recruited chiefly. Many men who began in this humble character accumulated, after the close of their terms, good estates, exercised wide influence and even filled important offices. There is, indeed, reason to think that some of the agricultural servants were of highly respectable social origin, and that some, like Adam Thoroughgood, had simply bound themselves out in order to learn the art of tobacco growing. But the most ordinary way in which the ranks of the small landowners were swelled was by the emigration of yeomen from England. Previous to 1650, as we have seen, the average size of the patent was 446 acres. In most instances, perhaps, these patents were sued out by men who had acquired the necessary headrights by the importation of their families and a couple of agricultural servants. The social esteem in which the yeomen, as a class, were held was undoubtedly

enhanced, not only by the restriction to landowners of the right of suffrage, but also by the increase in the number of slaves. The presence of negro bondsmen had a marked tendency to foster pride of race in every branch of the white population, for, to be white, gave the distinction of color even to the agricultural servants—to be white and also to be free combined the distinction of color with the distinction of liberty.

The class of large planters was necessarily small in comparison with that of yeomen, but it was they who gave charm and elevation to the colony's social life, although, as we shall see, the recreations and diversions of that life were shared by all freemen, and in a measure even by the slave and indentured servant. A citizen like Nicholas Spencer, or Richard Lee, in Westmoreland, Robert Beverley in Middlesex, Nathaniel Bacon, Sr., in York, Adam Thoroughgood in Lower Norfolk, or William Byrd in Henrico, occupied the position held by the greatest squire in an English parish. He owned the principal pew in the parish church, sat at the head of the justices on the county bench, was colonel of the county militia, and senior warden of the local vestry. It was these men and their fellows who, with their families, constituted the highest social body of the colony, and reflected as such all that was most attractive in its social character.

The Origin of the Planting Class.

What was the origin of the higher planting class? By the end of the century a large number of the conspicuous members of the landed gentry had been born in the country. But from 1618 down to 1700, not a year went by that this class did not receive accessions from England of men of equal social standing, and almost equal means, if not actual, prospective.

What were the influences which led these men to emigrate to Virginia? First, the restless and enterprising spirit of the English, which has made them the greatest colonizers of modern times; secondly, the narrow chances of fortune in that age in their native land, even for men of influential family connections. The foreign empire of England had not then spread entirely around the globe to furnish an enormous group of civil and military offices to be filled by the cadets of well-known English houses, nor was the English regular army and navy yet large enough to afford much room for the host of young men whose parents were seeking to set them up in life, nor did trade or the professions, or even the ordinary manual callings, supply all the employment needed. How natural that the father of many children—and England was as noted then as now for large families—whether landowner, clergyman, lawyer or physician, should have turned to Virginia as offering a place of settlement for at least some of his sons.

There were particular reasons why that colony should appeal to the English landowner under the circumstances: first, it was firmly loyal to the monarchy; secondly, its church establishment was modeled precisely upon that of the mother country; thirdly, the entire power of Virginian society, even in the period of manhood suffrage, was possessed and directed by the landed proprietors. That society was composed practically altogether of such proprietors and their dependents, and, therefore, on reaching the colony, the son of the English country gentleman could take up the same calling as his own ancestors had always followed, and would enter upon essentially the same general life as they had led before him—only accentuated in Virginia by the dispersion of the population.

Hardly less strong was the appeal which the colony made to the English father who was a merchant. He saw that in addition to the independence, refinement and heartiness of its social life, the colony possessed in tobacco culture a means by which his son, starting there with a fair estate, might steadily improve his fortunes. He knew, also, how profitable trading in that commodity could be made by the employment of capital and shrewdness combined.

Social Organization.

It was a conspicuous feature of the social life of Virginia in the Seventeenth century that, like the political system, it was fully organized from the beginning. There was never a period when, as in our western communities, every social division was submerged in a rude social equality. On the contrary, all the immemorial social distinctions took root there at once, as if the population of some English county had been moved bodily over sea. There was not the least desire to leave the old privileges and customs behind. Proofs of social divisions and distinctions were as conspicuous to the Englishman after his arrival in the colony as if he had passed, not across the ocean, but from Devon over into Hampshire, or from Sussex over into Surrey. For instance, one of the most ordinary social badges was the coat of arms, to which most of the prominent families appear to have had a legal right. In using these badges, such families were simply doing what their fathers had done before them in England, and what they themselves had done previous to their emigration.

Class Distinctions.

Nowhere was there a more formal recognition of class distinctions than in the legal documents. All the terms showing such distinctions were there in

use, such as "yeoman" and "gentleman," "esquire" and "Honorable." In conversation, the term "mister" was doubtless applied equally to gentlemen and yeomen, but in documents it appears to have been reserved for gentlemen in the ordinary sense of the designation. So with the word "gentleman" itself—it was never in such a document employed with inexactness, but quite invariably nicely and advisedly. But the most valued of all titles was "esquire," now used so indiscriminately, but in those times with such perfect precision. It seems to have been confined to the members of the Upper House of Assembly, a position which, as well in its social dignity as in its relation to legislation, was comparable to that of a member of the House of Lords. The term "Honorable" was applied only to the incumbent of the great office of Secretary, Auditor or Treasurer.

Practically no distinction was created in the social life of Virginia in these early times by the existence of the law of primogeniture, as that law was very slightly in operation. When in operation at all, it was generally so under the Statute of Descent, which gave all the land to the eldest son should the father die intestate. But the almost universal rule then was for that father to divide his property among all his children, because in that century estates were composed entirely of land, household articles and live stock, and unless the owner provided for his younger offspring by dividing and bequeathing to them a part of this property, he would have nothing to leave them; secondly, there were then no arts, and practically no trades, as in England, for the younger sons to turn to for a livelihood, nor was there room in such professions as law and medicine for many, nor openings, as in the English towns and cities, in mercantile life, for what mercantile life did exist was

restricted to a few stores, and to casual dealings in tobacco and imported goods on a large scale.

Virginians and the Mother Country.

In studying the spirit of the people, one is very much struck with the vigor of the social tie which, in those times, bound the Virginians to the mother country. They clung with tenacity to the habits and customs, the moral ideas and standards that prevailed and governed there. This was chiefly due to the fact that such a large part of the population had not left their native land over sea until long after the age of their earliest and most graphic impressions. The children of an emigrant, though born in Virginia, are likely to have had almost as vivid a conception of the mother country as their father, for that father, especially if sprung from the English landed gentry, was certain to have omitted no opportunity of recalling for their instruction or amusement his own childhood and youth in his native country, of describing all the varied scenes associated with his early experiences, of picturing the old home, of delineating the characters of the different members of the circle of kindred, and relating an hundred interesting stories drawn from the long annals of the family history. Members of all classes spoke of England as "home;" even persons born in Virginia, who had never seen and never expected to see England, always designated it by the same loving word. It was not simply the demands of business that, during the Seventeenth century, led so many citizens of the colony to visit the mother country—a deep love of their native land influenced many of those who had first seen the light there to return—while a natural curiosity to see what had been so often described to them, and a desire to meet relatives whom they had never met, prompted many of the native colonists to make the voyage.

The little band of sea captains were very active in keeping up an uninterrupted communication between English and Virginian kinsmen. Many a verbal message and letter were carried by them from relatives in Virginia to relatives in England, or the reverse; and through them, also, there was a constant exchange of gifts testifying to mutual interest, affection and esteem. Now it was an assortment of hickory nuts or walnuts, or slips of sassafras and pawpaw; now a butt of cider, or a caged redbird or mockingbird; now a flying squirrel, opossum or raccoon.

There were numerous bequests from the Virginian branch of a family to the English, and a like interest, though of a more general character, was also reflected in bequests for the benefit of indigent persons dwelling in those English communities with which the testators had been associated in early life. In many instances Virginian children were recommended to the care of their kindred oversea while receiving an education at some English school. Love of the mother country was also disclosed in the observance of old English domestic customs, such as gifts by last will of mourning rings to relatives and friends; bestowal, by the same instrument, of the distinction of heirlooms on articles in household use, such as silver or furniture, which had acquired certain cherished associations for one reason or another; the naming of the family residence after the ancestral seat in England; the burial in the chancel of the parish church of those citizens who, in their lifetime, had occupied a very exalted place in popular esteem.

The Home Life.

Nowhere were the characteristic features of the social life of the colony more faithfully presented than in its homes. As early as 1675 the general com-

munity had been established long enough for its principal residences, in their outer and inner aspect alike, to have acquired some of the dignity distinguishing the ancient English manor houses; and in their intimate domestic annals, much of that charm which was thrown around the society of England in that age by ease of fortune, refined manners, wide culture and the amenities springing from the closest bonds of kinship and friendship.

Even these superior residences were, as a rule, built of wood. The history of William Fitzhugh's mansion was the history of nearly all—it had gradually spread out by the erection of wing after wing as his family grew in size, until the whole covered a considerable area of ground. The homes of this class of citizens contained, in the way of halls, dining-rooms and chambers, ample space for the most generous entertainment of guests as well as for the comfortable accommodation of the regular inmates. The different apartments were furnished and ornamented after the most substantial and attractive patterns afforded by England. There was every variety of handsome bed, couch, chair and table. The floors were covered with carpets, the windows shaded by linen curtains, the chimneys hung with printed cottons, the bedframes adorned with gaily colored valences, the walls, in some cases, hung with tapestry, and in all, lined above the floor with panneling. In some houses, numerous portraits, in others, collections of books were to be seen. Open cupboards offered a shining array of both pewter and silver. In every drawing-room there were to be found musical instruments such as the virginal, the handlyre, fiddle, violin, flute, recorder and hautboy.

The wardrobes of men and women alike contained clothes of the latest English fashion. On gay occasions the men strutted about in camlet coats, with

sleeves ending in lace ruffles; in waistcoats, black, white and blue, or adorned with patterns of Turkey-worked texture, and in trousers made of the finest plush or broadcloth. In their shoes they wore shining brass, steel or silver buckles, while they carried in their hands or pockets silk or lace handkerchiefs, delicately scented. As to the ladies' dress, there are in the inventories numerous references to silk or flowered gowns, bodices of blue linen or green satin, waistcoats, bonnets, and petticoats trimmed with silk or silver lace, sarsanet and calico hoods, scarfs of brilliant shades of color, mantles of crimson taffeta, laced and gallooned shoes, gilt and golden stomachers.

The tables of the wealthy citizens were loaded with a most varied abundance of food. The herds of cattle which ran almost wild supplied an inexhaustible quantity of milk, butter, cheese, veal and beef, while the hams were pronounced by travelers to be equal in flavor to those of Westphalia. Deer were shot in such numbers that the people were said to be tired of venison. On every plantation a flock of sheep nibbled the pastures; poultry abounded in every houseyard, partridges in the open fields, wild turkeys in the forests. Clouds of wild pigeons broke down the limbs of trees with their weight in the spring, and in autumn, countless duck and wild geese darkened the surface of the creeks, rivers and bays. Perch, bass, shad, pike and sheepshead were to be caught almost at the very door, while oysters and other shell fish could be raked up by the bushel from the bottom of the nearest inlet. Peaches, plums and apples were produced in every orchard, and figs and grapes in every garden. Sloes, scuppernongs and pawpaws were to be found along the banks of every shady stream. Wild strawberries were so plentiful that the domestic berry was neglected. Huge pump-

kins and masses of peas sprang up in every cornfield between the stalks of maize. Potatoes, artichokes, onions, cymblins, watermelons—all were cultivated in profusion. Hickory and hazel nuts were to be picked up by the peck in the woods. Every table was supplied with homebrewed beer and cider. Perry was made from the juice of pears, punch from West Indian rum. The wines in domestic use were claret, Fayal, Madeira and Rhenish. It was a characteristic of the times that these fine wines could be bought in all the taverns.

With such abundance prevailing, it was natural that the people should have been extraordinarily hospitable—a feeling further promoted by the secluded life of the plantation. By 1675 negroes had become sufficiently numerous to furnish all the principal households with trained servants for life. Domestic service of that kind became more abundant still after that date, making the liberal entertainment of friends and strangers less troublesome than ever. The spirit of hospitality was further encouraged by the facilities for getting about from residence to residence afforded by sail or rowboats, for, as we have seen, every important mansion was situated on a navigable stream. The traveler was received everywhere with distinction. Beverley declared that the only recommendation needed by the stranger was that he was "a human creature," and that he had but to inquire of anyone he met on the public road the shortest way to the nearest gentleman's seat.

The Diversions of the People.

What were the popular diversions? Very free drinking in private and public was certainly one of the most favored. Governor Berkeley declared that "Virginia was as sober and temperate a colony, considering their quality, as was ever sent out of the

kingdom,'' by which he meant that the Virginian planters, on the whole, were less bibulous than the English gentlemen of the same period. Whenever, however, a little company of citizens gathered together, whether as appraisers to value an estate, or as commissioners to accept a new bridge, or as county justices to hear causes, a liberal supply of spirits was kept near at hand to quench their thirst. But it was not always at their own tables, or in taverns, or at the courthouses that the planters laid the ground for the inroads of gout—there is at least one recorded instance of a little band of wealthy gentlemen having built in one of the counties a large banquetting hall.

As we have seen, there were numerous musical instruments to be observed in the drawing-rooms. The county records show that, among the slaves and servants, there were some who were especially valued for their skill in performing with the fiddle, and that this skill was often called into use at the entertainments in private houses. There is some evidence of play-acting occurring under the same roofs, which was natural enough after the Restoration, when the theatre had become in England a popular passion. Governor Berkeley himself was a playwright of no mean ability, and very probably encouraged this form of amusement in the parlors of his friends among the planters.

The game of ninepins was played at all the taverns and in many private residences. Equally popular was the game of cards known as ''put.'' These games, as well as dice throwing, led to much gambling. Wagers were always sustained by the courts if the bet had been first reduced to writing, and was not in its nature injurious to public morals. But the betting was perhaps most active at the horse races, which formed the most popular of all open-air diver-

sions. As late as 1673 only gentlemen were permitted to enter horses on the regular race course, and in that year a tailor was heavily fined by court for daring to violate this rule. The ordinary heats took place on Saturday as a half holiday, but in some parts of the colony there were what were known as Fall and Spring races.

It was the habit of the Virginians of every class, from their early youth, to use the gun. During many years the laws of the colony required that the head of every family should keep in his house, ready to hand, at least one firearm of some sort for every person under him able to employ such a weapon. Whether directed against wild game or Indians, the aim of the gunners was among the surest of those times. There was an extraordinary variety and abundance of birds for the exhibition of quick sight and firm nerves—partridge, wild pigeon and wild turkey on land, the wild goose and wild duck on the water, furnished constant sport in season. And so with the game pursued with dogs only. Though foxes were hunted, there is no surviving record of packs of trained hounds having been used. Hares were caught in large numbers by running them down or smoking them out of hollow trees. Raccoons and opossums were tracked at night in the forests, while bears and panthers were killed even in the older parts of the colony as late as 1683. Wolf driving was, in some counties, an annual diversion, while in all, capturing wild horses furnished a profitable amusement. Under the existing custom, all animals of this kind without an owner's mark belong to whoever could overtake and catch them. Another popular sport was fishing, chiefly with the rod, but seines, cast and stationary nets, as well as gill lines, were in common use. The most exciting form of the sport, however, was "striking," a method adopted from

the Indians. This was done after nightfall with spears by the light of a flaming brazier fixed in the prow of the boat.

Much diversion was also derived by the people from such public or semi-public occasions as the funeral, wedding, the assemblage at church, court and muster days.

Having in most of the counties to travel far to attend a funeral, the persons present were always treated by the family of the deceased as special guests who were in particular need of refreshment after the obsequies were concluded. Extraordinary provision was made for their entertainment. At one funeral occurring in York county in 1667, it required twenty-two gallons of cider, twenty-four of beer and five of brandy to assuage the mourners' thirst. A whole ox and a half dozen sheep were not infrequently roasted to satisfy their hunger.

The wedding was marked by a gayety that was both prolonged and extravagant. The country neighborhoods were not so thickly settled that an occasion of this kind occurred so frequently as, by rapid repetition, to dull the edge of the pleasure derived from dancing, feasting and a reunion of friends and acquaintances. Most of the guests had to come from distant plantations, and were in no humor to shorten the festivities. Of a more promiscuous character was the popular assembly at the musters. From the remotest corners of the county the people gathered, some trudging on foot, some perhaps traveling in cart and rude carriages, but the greater number riding on horseback, with their wives and daughters perched up behind them on pillions. The muster itself, by varying the character of the occasion with a military display, gave a fillip to its social pleasures. The event very probably also had its darker side in the presence of many who were disposed to

indulge too freely in spirits. A free enjoyment of rough horseplay was also a characteristic of the monthly court. In spite of the fact that its principal aspects were political and business, the occasion was invariably enlivened by drunken bouts, which were not entirely confined to the lowest class of the population present. This was so well known that discontented indentured servants very often took advantage of the relaxed vigilance of that hour to make their preparations for flight.

The holding of services in the parish church gave rise to an occasion which was as remarkable for its social as for its religious aspects. In this edifice all the free people of the parish were required by law to assemble every Sabbath morning. Apart from any desire to join in public worship, the prospect of meeting friends and acquaintances must have had a strong influence in bringing a large number of persons together at the church door. Before and after the hour of service, they had a full opportunity to mingle in the closest social intercourse. For a few hours the church was the centre of overflowing life. A spirit of social kindness, as well as of religious devotion, was nourished from Sunday to Sunday; the bonds of mutual sympathy and helpfulness were made more intimate; the more innocent vanities aired; the manners of the young improved by contact with their elders, and the minds of the old refreshed by renewed association with their neighbors.

Bibliography.—*Abstracts of Proceedings of the Virginia Company of London* (2 Vols., Va. Hist. Society Publications); Beverley, Robert: *History of Virginia* (Richmond, Va., 1855); British Public Records Office, Original Papers Relating to Virginia in the Seventeenth Century; Brown, Alexander: *Genesis of the United States* (2 Vols., Boston, 1891); Bruce, Philip Alexander: *Economic History of Virginia in the Seventeenth Century* (New York, 1896); Bulloch, William: *Virginia* (London, 1649); Byrd, William, Sr.: *Letters of* (Va. Hist. Soc. Mss. Colls.); County Records for Seventeenth Century, Copies in Va. State Library, originals at Virginia Courthouses; Fitzhugh, William: *Letters of* (Va. Hist. Soc. Mss. Coll.); Ford, Peter: *Collection of Historical Documents Relating to Colon-*

BRUTON PARISH CHURCH, WILLIAMSBURG, VA., IN 1750.
The Oldest Church Building Now in Use in America.

ies of North America (4 Vols., Washington, D. C., 1836–46); General Court of Virginia, Mss. Records of 1670–76 (Va. Hist. Soc. Mss. Coll.); Godwyn, Morgan: *Negro's and Indian's Advocate* (London, 1680); Hamor, Ralph: *True Discourse;* Hartwell, Chilton and Blair: *Present State of Virginia*, 1696–7 (London, 1727); Hellier, Thomas: *Life of* (London, 1680); Hening, Wm. Waller: *Virginia Statutes at Large* (Vols. I., II., III.); Hotten, J. C.: *Original Lists of Emigrants to America*, 1600–1700 (New York, 1874); James, E. W.: *Lower Norfolk County Antiquary; Ludwell Mss.* (Va. Hist. Soc. Mss. Coll.); *McDonald Papers* (7 Vols. Mss. Va. State Library); Neill, Rev. E. D.: *English Colonization of America* (London, 1871), *History of Virginia Company of London*, 1606–24 (Albany, N. Y., 1869), *Virginia Carolorum*, 1625–85 (Albany, 1869), *Virginia Vetusta*; Percy, George: *Discourse; Randolph Mss.* (Va. Hist. Soc. Mss. Coll.); Robinson, Conway: *Transcripts of Miscellaneous Mss.* (Va. Hist. Soc. Mss. Coll.); Royal Historical Mss. Commission Reports (8 Vols.); Sainsbury, E. Noel: *Abstracts of Records in British Public Record Office relating to Virginia in the Seventeenth Century* (Va. State Library); Smith, Capt. John: *Works of* (edited by Prof. Arber, Birmingham, England, 1884); Spelman, Henry: *Relation of Virginia;* Spottswood, Gov. Alexander: *Official Letters of* (Va. Hist. Soc. Pubs.); Stith, William. *History of Virginia* (Williamsburg, Va., 1747); Strachey, William: *Historie of Travaile into Virginie Britannia;* Virginia Historical Register (6 Vols., Va. Hist. Soc. Pubs.); *Virginia Land Patents*, 1621–1700 (Va. State Capitol); *Virginia Magazine of History and Biography* (Va. Hist. Soc. Pubs.); *William and Mary College Quarterly* (Williamsburg, Va.); Winder Papers (2 Vols., Va. State Library).

PHILIP ALEXANDER BRUCE,

Author of The Economic History of Virginia in the Seventeenth Century.

CHAPTER IV.

FROM COLONY TO COMMONWEALTH, 1763-1776.

The French and Indian War, which closed the issue as to whether the English, French or Spanish should dominate this continent, opened the question as to whether sovereignty over the country should be British or American. The American Revolution was less a revolt from England than the growth of instinctive forces in the life of Anglo-Saxons set-

tled in the western wilderness. In that creative era there culminated three tendencies which sprang naturally out of the conditions of colonial life—democracy, union and independence. Hence the significance attaching to that period is the genesis of ideas, the progress of social forces, and the subtle motives that weave institutions. It was, in fact, an evolution rather than a revolution.

Virginia gladly acknowledged itself the child of England, but a child having substantive aims, and claiming as an heir the great "moral discoveries of *habeas corpus* and trial by jury, of a representative government and a free press." The Virginia Assembly as early as 1624 declared that it had the right "to lay taxes and impositions, and none other." When, therefore, the intention of the British Ministry as to the Stamp Act became known in 1764, the Virginia Burgesses promptly forwarded their remonstrance.

Despite colonial protests, the Stamp Act was to go into effect Nov. 1, 1765. Acquiescence seemed the only course, when Patrick Henry entered the House of Burgesses on May 1 of that year. He had sprung into prominence in the famous Parsons' Cause, by upholding with rare eloquence the right of Virginia to make her own laws without the intervention of the king's veto. Nine days after Henry took his seat in the Assembly he wrote on the fly-leaf of an old copy of *Coke Upon Littleton* a series of resolutions against the Stamp Act, which he presented to the House, and thereby "gave the first impulse to the ball of the revolution." Jefferson, then a student, witnessed "the bloody debate," and heard Peyton Randolph exclaim after the count, "By God, I would have given five hundred guineas for a single vote!" Another negative vote would have killed the measure. Governor Fauquier, af-

frighted, at once dissolved the Assembly. But the work had been done. Virginia's voice echoed in the New York Congress, and the Stamp Act was repealed.

The crisis seemed past. Not so, for Townshend, in 1767, aroused anew the colonies by import duties upon glass and tea. In the choice of the courtly Botetourt as a successor to Fauquier, the Ministry hoped to detach Virginia from the side of Massachusetts. The Burgesses, however, would not desert New England at that critical moment. They embodied, in 1769, their patriotic views in energetic resolves, while sitting behind closed doors. Hardly had the vote been taken when the governor abruptly summoned them to meet him in the council chamber. With flushed face he angrily dissolved them. Turned out of the capitol, the representatives with one accord went to the Raleigh Tavern and agreed to import no more goods from Britain. It is worthy of record that at this session of the Assembly Thomas Jefferson urged a bill allowing owners to manumit their slaves. Of like import was the attempt of the Burgesses, in 1772, to put an end to the iniquitous slave trade. The king denied this appeal and thereby laid himself open to Jefferson's fierce indictment on that score in his draft of the Declaration of Independence.

After 1769 there was a lull in Virginia, in spite of the unrepealed tax on tea. Upon the death of the genial Botetourt, the suspicious Dunmore took his place. Violence, however, manifested itself in other provinces. The Boston Massacre, the burning of the *Gaspée* in Rhode Island, and the counter coercive measures of the British Ministry, kept alive the great debate. To secure unity, the Assembly, in 1773, devised committees of correspondence to act as a nervous system for the colonial cause.

Virginia's Opposition to Boston Port Bill.

Throughout the events that led up to the Revolution, it seemed ordained that Massachusetts was to suffer and Virginia to sympathize. Until the outbreak of actual hostilities scarcely anything of moment occurred on the soil of Virginia to incite her sons to champion the cause of freedom. Indeed, from the beginning of the controversy between the colonies and the mother country, the British Ministry seemed to have avoided any special cause of irritation to the people of the Old Dominion. The part, therefore, which Virginia took in the events of those days must be attributed to her devotion to the principles of liberty, to her interest in the common cause of the colonies, and particularly to her sympathy with Massachusetts in the suffering which that province was called upon to endure. If we lose sight of these motives as the springs of Virginia's conduct in that struggle, we shall be unable to appreciate either the nobility of her spirit or the wisdom and energy which marked her initiative.

The Port Bill, which closed the harbor of Boston as a retaliation for the famous Tea-party, reached Boston on May 10, 1774, the day of the accession of Louis XVI. Three days later the Bay patriots drafted a circular-letter, appealing to the colonists for united support and urging the cessation of all trade with Great Britain. One writing from the doomed city in New England on May 29, just before the Port Bill was to go into effect, sketches for us the situation there: "Preparations are now making for blocking up this harbor, and affairs at present bear a gloomy aspect in this metropolis. However, we are in good spirits, and if the other colonists will but stand by us we doubt not of doing well. Nothing but an union can be the salvation of America."

On the afternoon of the very Sunday on which the writer was penning these words to his friend, Boston's circular-letter arrived by special messenger in the quiet Virginia capital at Williamsburg, causing hurried consultations among the score or more members of the General Assembly that still lingered in town. On the previous Thursday the House of Burgesses had been abruptly dissolved by the irate governor on account of an active expression of sympathy with the cause of Massachusetts. The reply to Boston's proposal to break off all trade relations with Britain seemed too grave a step for the Virginia Committee of Correspondence, instituted the previous year, to take. Accordingly, at a meeting on the following morning, at which all the twenty-five remaining ex-Burgesses were present, it was decided to ask the counties to appoint deputies to a convention which should consider the question of the cessation of all trade with Great Britain and which should select delegates to a proposed Congress of the American colonies. The Revolution in Virginia had begun; a body, deriving its mandates not from the Crown but from the people of the colonies, had been called into existence, and this democratic legislature was gradually to draw to itself all the governmental functions of the province. Boston's appeal for support was thus referred by the Committee of Correspondence in Virginia to the representatives of the sovereign people, whom royal writs did not summon nor royal governors dissolve. This call for the first Virginia convention, the original of which is in the State Library at Richmond, was evidently written by Peyton Randolph, the recent Speaker of the Burgesses, whose signature stands first in the list of signers. There follow the names of Thomas Jefferson, Henry, Lee, George Washington, etc.

June the first, the very day on which the Boston Port Bill was to go into effect, had, by appointment of the Virginia Burgesses, been set apart "as a day of fasting, humiliation and prayer to avert the heavy calamity which threatened destruction to their civil rights"—the precise resolution that brought Lord Dunmore's wrath down upon their heads. Food was not tasted from the rising to the setting of the sun throughout the colony, and solemn services were held in the local churches. George Mason, in writing from Williamsburg to a neighbor, mentions the day of fasting appointed and adds, "please tell my dear little family that I charge them to pay strict attention to it, and that I desire my three eldest sons and my two eldest daughters may attend church in mourning." At Bruton Church in the ancient capital Rev. Mr. Price, before whom sat Washington and his fellow Burgesses, took as the text of his discourse the words: "Be strong and of good courage; fear not nor be afraid of them, for the Lord thy God, He it is that doth go with thee. He will not fail thee nor forsake thee"—admirably chosen as suggesting divine succor and ultimate success. "The people," wrote Jefferson, "met generally with anxiety and alarm in their countenances, and the effect of the day through the whole colony was like a shock of electricity, arousing every man and placing him erect and solidly on his centre."

The First Convention, 1774.

During the summer of 1774 the Revolution was organizing itself throughout the province by the appointment of local committees of correspondence as a means of promoting union and diffusing information, and by spirited county mass-meetings called to consider the crisis of public affairs and to elect delegates to the Virginia convention, in which

the Burgesses were in general empowered to act as representatives of the people.

All eyes now turned to the convention which was to meet at the capital on August 1, just eleven days previous to the time set by Lord Dunmore for the session of the General Assembly. The sinister governor, by way of avoiding any pretext for the gathering of the people's representatives, began a series of six prorogations of the legislature, hoping that meantime patriotic feeling would subside. His proclamation to that effect stands on the page of the yellowed Journal just opposite to the record of the impetuous words with which he dissolved the May Assembly. Little did Lord Dunmore suspect that his act on that occasion virtually closed the labors of a legislature that dated from 1619.

The first Virginia convention met at Williamsburg on Aug. 1, 1774, and remained in session six days. Peyton Randolph was made president. In support of Boston it was unanimously agreed that after November 1 following, no goods except medicines should be imported from Great Britain; that the Virginians would neither import nor purchase slaves imported, after that date, from any place whatsoever; and that, unless American grievances were redressed by Aug. 10, 1775, they would stop all exports of their product to the British Isles. Delegates were chosen to represent Virginia in a general Congress of the colonies. Provision was made for the future sessions of the convention, should the course of affairs demand. The spirit of the planters voiced itself in the words of Washington: "I will raise one thousand men, subsist them at my own expense, and march myself at their head for the relief of Boston."

Following the session of the first Continental Congress which met in Philadelphia on Sept. 5, 1774,

local military companies were raised in various parts of Virginia and steps were taken to arm and provision them. Events in Boston hastened the pace of the patriots, while Parliament, in January, 1775, declared Massachusetts in a state of rebellion and interdicted all trade on the part of the resisting colonies with Britain and the West Indies.

The Second Convention, 1775.

It was under such circumstances that the second Virginia convention was held at Richmond on March 20, 1775. It sat in St. John's church, which crowns an eminence overlooking the valley of the James. The historic building stands to-day amid a beautiful grove under whose shade sleep the village fathers. A hundred and nineteen delegates were present and remained in session for one week. A cleavage in parties soon appeared. The conservative members brought forward a conciliatory resolution, expressing a desire "to see a speedy return to those halcyon days when we lived a free and happy people" under British rule.

There were, however, some men in the convention who favored action on the part of the colony. Seeing no reason to put their trust in papers addressed to King and Parliament—were not the royal waste-baskets full of these?—they began to rely on their muskets as the means of freedom. Were not the Virginian youth from sea to mountains already on the drill-field, but without authoritative organization? Did not a state of war then exist in Massachusetts? Moved by such considerations, Patrick Henry sprang to his feet and offered a barbed resolution to the effect "that this colony be immediately put into a state of defense." The scene that followed this proposal was a repetition of that which the House of Burgesses had witnessed ten years be-

ST. JOHN'S CHURCH, RICHMOND.
Here Patrick Henry Made His Famous Speech.

fore in the fiery protest against the Stamp Act, when Patrick Henry, by eloquence as natural as it was overwhelming, carried all before him. Bland, Nicholas, Harrison and Pendleton fought the martial resolution, while Richard Henry Lee and Thomas Jefferson seconded the impassioned words of the son of Hanover. The proposition to arm the colony was carried, and the committee, including Patrick Henry, Richard Henry Lee, Benjamin Harrison, George Washington and Thomas Jefferson, at once formulated plans for executing it. Companies of infantry and horse were soon marshalled in the various counties. Trade was stagnant; government was practically suspended, and the courts closed. For instance, Patrick Henry's fee-books show that in 1765 he charged 555 fees, and in 1774 none.

The convention appointed the same delegates as in the previous year to represent Virginia in the Continental Congress, adding the name of Thomas Jefferson as an alternate in case Peyton Randolph should be unable to attend. It took steps for promoting woolen, cotton and linen manufactures, salt works and the making of gunpowder, steel and paper. The delegates concluded that their labors must be submitted to the approval of the people; that future conventions would be necessary; and that delegates thereto should be elected for one year. Thus a body, which was hastily summoned to give advice on a knotty question proposed by Boston, had largely assumed the direction of affairs in Virginia. It is easy at this time to observe the parts of the patriot government taking shape; first, a committee of correspondence with advisory powers in all questions touching the patriot cause; secondly, similar committees in the counties calling forth military companies; thirdly, a representative body, at present only consultative, but soon to become legis-

lative; fourthly, a militia made up of men trained to the use of the musket and pulsing with patriotism. The Virginians in fashioning these democratic institutions showed how well they had profited by their long political experience. Needless to say, Lord Dunmore growled his dissent at such patriot proceedings by a public proclamation, which went unheeded.

While the sturdy New Englanders were burying the farmers who met death on the Lexington Green, an act of Lord Dunmore in removing some ammunition from the "Powderhorn" to a British man-of-war seemed, for the moment, to threaten bloodshed in Virginia. Patrick Henry headed a movement of troops against Williamsburg. Dunmore became alarmed, fortified the palace, summoned marines from the *Fowey,* sent his wife and children aboard this ship lying at York, and drew a full breath only after he had learned that Henry had turned back at Doncastle's ordinary upon receiving payment for the powder. The governor's threat that if injury were offered to him or his he would free the slaves and burn the town, greatly embittered the feeling of the people against him.

The Last House of Burgesses.

After repeated prorogations of the General Assembly Dunmore summoned it to meet on the first day of June, 1775, so as to receive Lord North's "olive branch." In order to preside over the House of Burgesses, Peyton Randolph left the session of the second Congress in Philadelphia at a time when the news of the battle of Lexington, the capture of Ticonderoga, the investment of Boston by a provincial army, and the arrival of large bodies of fresh British troops at New York and Boston had swept the public mind toward the precipice of revolution.

Such was the enthusiasm in his home town for the Speaker, who had been twice honored with the presidency of the general Congress, that companies of horse and foot met him on his approach to Williamsburg and escorted him into the city. When the Burgesses assembled on that June morning, it was noted by Randolph that many of them were habited in hunting shirts and armed with rifles. This assembly marked the last rehearsal of royalty in Virginia. Following the report of a committee that Dunmore had declared his purpose to raise, free and arm the slaves, it was enacted that the import of slaves from the West Indies be checked by a specific duty of five pounds on the head, to which measure the governor refused his assent. "The last exercise of the veto power by the King's representative in Virginia was for the protection of the slave trade."

Consideration of Lord North's conciliatory proposition was interrupted by an untoward incident. The people were uneasy lest the governor should remove the remaining guns from the "Powder-horn." When, through curiosity, a Burgess and two other men sought an entrance into the arsenal, three guns went off automatically upon the opening of the door, as had been deliberately planned. The men were all wounded; excitement ran high; the governor, upon being questioned, threw the blame upon his servants, who declared to his face that it had been done by his orders. Stricken with guilt and fear, Lord Dunmore with his family fled on June 7 to the *Fowey,* anchored at York. From the cabin of this man-of-war he sent repeated communications to the legislature at Williamsburg, twelve miles away; and finally, as this method proved tedious, he requested the House to meet him on shipboard—an invitation which the planters were in no

way minded to accept. The *Fowney* sailing up the Thames with the Virginia House of Burgesses aboard would have been a sight to thrill the heart of King George. Jefferson was called upon to draft the answer to Lord North's proposal, which purposed to divide the colonies by getting them to treat separately on conciliatory terms. The import of the reply to the King is sufficiently indicated by this sentence: "We consider ourselves as bound in honor as well as interest to share one general fate with our sister colonies, and should hold ourselves base deserters of that union to which we have acceded were we to agree on any measures distinct and apart from them." Along with Jefferson's "Summary of Rights," which was intended to be presented to the first Virginia convention, this paper marks another step in the genesis of the Declaration of Independence. "In my life," said Shelburne, "I was never more pleased with a State paper than with the Assembly of Virginia's discussion of Lord North's proposition. It is masterly." With Virginia's reply in his pocket, Jefferson hastened to Philadelphia, where he reported its passage to Congress. He was likewise requested by that body to write its report on Lord North's terms, and did so with no less cogency.

When the House of Burgesses adjourned on June 4, 1775, it completed a legislative career that extended over 156 years. As the members strolled out of the House, Richard Henry Lee, standing with two colleagues on the portico of the capitol, inscribed with his pencil on a pillar these lines:

> "When shall we three meet again
> In thunder, lightning and in rain?
> When the hurlyburly's done,
> When the battle's lost and won."

True, there were three other attempts to hold sessions, but in each case a quorum did not appear.

The last entry on the manuscript Journal stands thus: "Monday, the sixth of May, 16 George III., 1776. Several members met, but did neither proceed to business nor adjourn as a House of Burgesses. Finis."

The Third Convention, 1775.

While the House of Burgesses must decrease, the convention must increase. The third session of this Revolutionary body was held at "Richmond town" from July 17 to Aug. 26, 1775. Fifteen days before the planters came together on the James, George Washington had taken command, under the old elm at Cambridge, of the American armies. Both the circumstances of the colony and the movement of thought strengthened the hands of the delegates and forced the convention to assume responsibilities undreamt of by those who suggested in the previous year calling it for the first time. Lord Dunmore had not only abandoned the capital, but he was also threatening to make war on the colony. The royal government was dissolved. The convention tried to meet this new turn in affairs. No longer content with resolutions and recommendations, it followed legislative methods and gave to its acts the forms of law, terming them ordinances.

The chief measures adopted by this convention were to organize the forces for the defense of the colony, to create an executive to act during the recess of the convention, to raise adequate revenue for the provisional government, to establish executive county committees, to regulate the election of delegates to the convention, and to elect new representatives to Congress. As the bare enumeration shows, these were tasks of no little difficulty, and we find the members laboring at hours early and late to solve them. The chaplain was "desired to read prayers every morning at eight o'clock."

Patrick Henry was made colonel of the first regiment, and as such acted as commander-in-chief of the Virginia forces. Fortunately there is extant the little slip of paper on which the tellers made their report to the convention as to the balloting for representatives in Congress: "Peyton Randolph 89, Richard Henry Lee 88, Thomas Jefferson 85, Benjamin Harrison 83, Thomas Nelson 66, Richard Bland 61, George Wythe 58, Carter Braxton 24, George Washington 22, George Mason 19, etc." It will be seen that twenty-two members insisted upon honoring Washington again with a seat in Congress in spite of his military commission.

The formation of a temporary executive was a subject of much discussion. There existed the committee of correspondence, originally a kind of bureau of agitation. Now, however, agitation had done its perfect work; war was at hand. It seemed expedient, therefore, to create a Committee of Safety, consisting of eleven members, of whom Edmund Pendleton was made president. This committee piloted the colony during the trying time from Aug. 17, 1775, until July 5, 1776, when Patrick Henry took the oath as governor of the commonwealth of Virginia. During this era of political excitement religious dissent increased rapidly. The spirit of patriotism which animated all classes of citizens finds expression in a petition from the Baptists to the convention, asking for four of their brethren to be granted liberty of preaching, at convenient times, to the troops of that religious persuasion, without molestation or abuse. The petition was granted "for the ease of such scrupulous consciences."

War with Dunmore.

Toward the close of the summer of 1775 the fugitive governor had gathered a flotilla in the Chesa-

peake, troubling merchant ships and threatening a descent on the coast towns. In October one of his landing parties seized, at Norfolk, and carried on shipboard the press of a newspaper imbued with the patriotic sentiments of the day. On this press was printed Dunmore's proclamation of November 7, in which he proclaimed martial law, declared traitors all persons capable of bearing arms who did not resort to his standard, and offered freedom to "all indentured servants, negroes, or others appertaining to rebels." A messenger was even despatched to the western border to incite the savages against the Virginians. The war in Virginia really began at Hampton, at the very place where occurred the first encounters of the early settlers with the Indians. In a severe storm in September, 1775, one of Dunmore's ships was beached near Hampton and subsequently captured and fired by the inhabitants of the little seaside town. To avenge this act the governor blockaded and attempted to burn the village. The British assault made on October 26 was bravely repulsed by the citizens, reënforced by the Culpeper riflemen. On December 8 the battle of Great Bridge took place, where the regulars were again routed, losing over sixty killed and wounded. On Jan. 1, 1776, after a severe cannonade from sixty guns, Dunmore fired Norfolk, the chief town of the colony with a population of 6,000.

Fourth Convention, 1775.

The fourth Virginia convention was sitting almost within hearing distance of the cannon at the battle of Great Bridge. It had met at Richmond on Dec. 1, 1775, but, after organizing, adjourned to meet at Williamsburg. The chief matters that engaged the attention of this convention were the increase of the troops, which were straightway

merged into the continental army; the establishment of an admiralty court; the appointment of a commission of five men in each county to try the causes of those deemed enemies of America; the authorization of county courts to elect severally a sheriff for one year; and instruction to the Virginia delegates in Congress to urge the opening of the ports of the colonies to the commerce of the world, excepting Britain and the British West Indies.

After the harrowing assaults of Lord Dunmore, it is not surprising that the demand for independence of British rule echoed in every quarter of Virginia. We find, accordingly, during that spring, the several county committees instructing their delegates "to cause a total and final separation from Great Britain to take place as soon as possible." Meantime the prime question in the mind of the Virginian statesmen was how to bridge the chasm from royalty to republicanism, from colony to commonwealth. There was a brisk correspondence between the leading men in the province with a view to the declaration of independence and the taking up of government.

The Fifth Convention, 1776—Adoption of a Constitution.

The fifth convention met at Williamsburg on May 6, 1776, sixty counties and corporations being represented by 131 delegates. Edmund Pendleton was elected president. The three constructive measures which it formulated were: first, the instructions to the Virginia delegates in Congress to propose Independence of Great Britain; second, the Bill of Rights; and third, the constitution of the new Commonwealth. After the passage, on May 15, of the resolution instructing their delegates in Congress to propose independence, the British flag on the capitol was at once struck and the colonial colors

hoisted in its stead. At night the town was illuminated in celebration of that epochal event.

On June 12 the convention adopted the Bill of Rights. This summary of liberties, at once so comprehensive and concise, we owe to George Mason, whose original draft was afterwards presented to the state. The only serious amendment made to this celebrated paper was that urged by the youthful James Madison, substituting religious liberty for toleration. The air was rife with political theories. Seven different plans of government came before the convention. From these, guided by political sagacity of rare order, they wrought out a republican constitution which, though conceived in the midst of war and framed in a brief space of time, met admirably the needs of the people and presided for more than half a century over the rapidly expanding state. The constitution was adopted finally on June 29, 1776—the natal day of the Commonwealth of Virginia.

BIBLIOGRAPHY.—Burk, John: *History of Virginia*; Chandler, J. A. C.: *Representation in Virginia*; Frothingham, Richard: *The Rise of the Republic*; Gordon's *History of America*; Grigsby, Hugh Blair: *The Virginia Convention of* 1776; Henry, William Wirt: *Life of Patrick Henry*; Hart, A. B.: *Formation of the Union*; Hening's *Virginia Statutes at Large*; Ingle: *Local Institutions in Virginia*; James, C. F.: *History of the Struggle for Religious Liberty in Virginia*; Johnson, T. C.: *Religious Liberty in Virginia*; Rowland, Kate Mason: *Life of George Mason*; Tyler, Lyon G.: *Life and Times of the Tylers*; Wilson, Woodrow: *Life of George Washington*; The Works of Thomas Jefferson, John Adams, James Madison, etc.; The *Journals* of the Virginia House of Burgesses; The *Journals* of the Virginia Conventions of the Revolution; Calendar of Virginia State Papers; The files of the *Williamsburg Gazette*; Manuscripts in Virginia State Archives.

S. C. MITCHELL,

President of the University of South Carolina.

Chapter V.

THE COMMONWEALTH OF VIRGINIA, 1776-1861.

Virginia Troops in the Revolution.

The political leadership of Virginia during the revolutionary epoch has been universally recognized and the published writings of her statesmen have placed their fame beyond the reach of cavil or detraction. The military history of the state has, on the contrary, been sadly neglected, and what is still worse many of the most important documentary sources are now lost. To have contributed Washington to the cause of independence seemed glory enough for one state, and the services rendered by the Virginia line have consequently received scant treatment even at the hands of the state historians.

When Virginia's own writers have neglected the part played by her troops in the Revolution, it is not strange that others have disparaged it. It is frequently claimed that New England furnished more troops than all the other states combined, and that Massachusetts sent to the front nearly double the number furnished by any other state. By merely adding up the yearly returns of the continental army as given by General Knox in a report prepared for Congress in 1790, when he was secretary of war, the Massachusetts historians arrive at the conclusion that their state furnished a total of 67,907 men to the continental line and Virginia 26,672. Knox also gives estimates of the militia, these figures being very full for New England and very meagre for the South, but he states by way of explanation that "in some years of the greatest exertions of the Southern

States there are no returns whatever of the militia employed." Heitman, in his *Historical Register of the Officers of the Continental Army,* after a careful study of the subject, places the number of Massachusetts militia at 20,000 and the number of Virginia militia at 30,000. Adding together Knox's and Heitman's figures it would appear that Massachusetts furnished 87,907 men during the Revolution, and Virginia 56,672. Next to Virginia comes Connecticut with 40,939.

But a careful analysis of Knox's figures will show that they are subject to certain corrections. The 16,444 men credited to Massachusetts in 1775 were not regularly organized continentals, but militia on continental pay, whose terms expired in December of that year. The 13,372 men credited to the same state for 1776 likewise include militia on continental pay, whose terms expired at the end of the year. The explanation of this is that Massachusetts was so hard pressed during the first and second years of the war that she was unable to pay her militia and appealed to Congress to assume the burden. This Congress consented to do and large sums of money were forwarded to Washington's headquarters to be paid out to the Massachusetts militia under his direction. Here then is a deduction of nearly 30,000 to be made from the Massachusetts total of continental troops. Another point to be noted is that Knox takes no account of the term of enlistment and makes no effort to reduce his figures to a common basis. It is well known that enlistments in Massachusetts were for short periods, while enlistments in Virginia were for three years or the war. For instance the 3,732 continentals credited to Massachusetts in 1781, when the war had been transferred to the South, were enlisted, according to Knox's report, for four months only. When we

come to consider the terms of service of the militia, an examination of the volumes published by the secretary of the commonwealth of Massachusetts under the title of *Massachusetts Soldiers and Sailors of the Revolutionary War* shows that many of them served for very short periods. Hundreds of men listed in these volumes served in reply to some alarm for from one to thirty days and saw no other service, while thousands of them served for one, two, three or four months. The completeness and detail of these records is remarkable. We do not wish to discredit or underrate the services of Massachusetts to the cause of independence, which were very great, particularly in the early years of the war, but merely to point out the extravagance of many of the claims advanced by her historians. These claims have been so often repeated that they have almost acquired the force of truth. After all the real interest centres not in the number of troops furnished by a state but in the character of the service performed, and in this regard Virginia yields precedence to none. Her troops fought over a wider area and further from home than those of any other state. They served in every part of the country from Quebec to Savannah and from Boston to Kaskaskia and Vincennes.

The fact that the commander-in-chief was a Virginian was a serious obstacle to the advancement of other officers from that state. Three of the major-generals appointed by Congress, however, claimed Virginia as their residence, though only one was a native. They were Charles Lee and Horatio Gates, former British army officers who had acquired estates in Berkeley county near Leetown, in what is now Jefferson county, West Virginia, and Adam Stephen, of the same county, who had served with distinction in the Indian wars. By a strange coincidence these three generals, whose homes were within

a few miles of one another, all fell into disgrace. Lee was dismissed for his conduct at Monmouth, Gates was suspended after his defeat at Camden, and Stephen was cashiered for drunkenness and blundering at the battle of Germantown.

But the names of the brigadier-generals of Virginia form an honor roll of which the state may well feel proud. They are Daniel Morgan, who led the first body of Southern troops to join Washington before Boston, fought his way into the heart of Quebec only to be captured through failure of the supporting column, twice turned the tide at Saratoga and finally, after a tardy promotion to the grade of brigadier, routed the dread Tarleton at Cowpens in one of the most brilliant engagements of the war; Peter Muhlenberg, who led a German regiment from the valley of Virginia to the relief of Charleston in 1776, commanded a brigade at Brandywine, Germantown, Monmouth, Stony Point and Yorktown; Hugh Mercer, whose brigade formed the attacking column at Trenton and at Princeton, and who died of his wounds a few days later lamented by the entire army; George Weedon, who commanded a brigade at Brandywine and at Germantown; William Woodford, who commanded the Virginia militia at Great Bridge and led a Virginia brigade at Brandywine, Germantown and Monmouth; Charles Scott, who commanded a Virginia regiment at Trenton and at Stony Point and was the last to leave the field at Monmouth when Charles Lee retreated; Edward Stevens, whose regiment checked the British advance at Brandywine and who served with distinction at Germantown and at Guilford Court House; Robert Lawson, who commanded a brigade of Virginia militia at Guilford Court House; William Campbell, who led a regiment of 400 Virginians to King's Mountain and was chosen by the other offi-

cers to lead in that fight; Gov. Thomas Nelson, who commanded the Virginia militia in the Yorktown campaign, and George Rogers Clark, whose conquest of the Northwest will be described later. Morgan, Muhlenberg, Mercer, Weedon, Woodford and Scott were brigadiers in the continental line; Stevens and Lawson served as colonels in the continental line and later received commissions from Virginia as brigadiers of militia; Campbell, Nelson and Clark also commanded militia or volunteers.

Not less distinguished, though of lower rank, were Col. Henry Lee ("Light-Horse Harry"), whose legion rendered such brilliant service under Washington in New Jersey, and later under Greene in the Carolinas; and colonels William Washington, George Baylor and Theodoric Bland, who shed new lustre on the chivalry of Virginia, while Col. Charles Harrison, the commander of the First Continental Artillery, was equally conspicuous in another arm of the service.

The first year of the war was fought mainly in New England by New England militia, who were enlisted at first to serve until December, 1775, when twenty-six new regiments were raised to serve for one year. When the seat of the war was transferred to the Hudson many of these troops accompanied Washington and served during a part of the campaign in New Jersey, but very few of them would consent to reënlist when their terms expired. Washington was reduced to great straits and appealed to Congress and the states for troops to take their place. In a letter to the president of Congress Dec. 24, 1776, he says: "By the departure of these regiments, I shall be left with five from Virginia, Smallwood's from Maryland, a small part of Rawlins's (Maryland and Virginia Rifles), Hand's from Pennsylvania, part of Ward's from Connecticut and the

German Battalion, amounting in the whole at this time from fourteen to fifteen hundred effective men.'' In the battles of Trenton, Princeton, Brandywine, Germantown and Monmouth, Virginia troops bore the brunt of the fighting. In December, 1779, practically the whole Virginia line, its ranks greatly depleted by hard service in New Jersey, was ordered to South Carolina under generals Woodford and Scott, and was surrendered to the British by the capitulation of Charleston, May 12, 1780.

During the greater part of the war the soil of Virginia was free from the invader. After the repulse of the British at Great Bridge, Dec. 9, 1775, and the destruction of Norfolk by Lord Dunmore's fleet three weeks later, there were no military operations in Virginia for several years. Patrick Henry was the first governor of the commonwealth, having been elected June 30, 1776, by the convention which framed the original constitution. He filled the office ably and acceptably for three terms of one year each. During this time a number of important legal reforms were enacted by the legislature under the leadership of Thomas Jefferson. The most important were the act abolishing entails, the statute of descents, the act repealing the laws on which the established church rested, and an act prohibiting the further importation of slaves. At the same time Jefferson prepared a bill providing for the gradual emancipation of slaves and the celebrated statute of religious liberty. The former was never enacted; the latter after an interval of several years.

Jefferson succeeded Henry as governor, and his two terms fell in what was for Virginia the most stormy period of the war. While he was governor Sir Henry Clinton sent three expeditions to raid and harry the coasts and rivers of Virginia, Matthews and Collier in 1779, Leslie in 1780, and Arnold and

Phillips in 1781. In the spring of 1780 Washington sent General Muhlenberg to Virginia to take charge of the defenses of the state. With the aid of a few officers of the continental lines, who were at home on furlough, he collected and organized a sufficient body of militia to lay siege to Leslie in Portsmouth, but through the failure of the French fleet to coöperate that officer made his escape and joined Cornwallis at Charleston. Shortly afterwards Maj.-Gen. Baron von Steuben was sent to Virginia and Muhlenberg became second in command. The best equipped troops were sent to join Greene in the Carolinas and the militia and volunteers disbanded. On Jan. 2, 1781, Benedict Arnold landed at Portsmouth and two days later proceeded up the James to Richmond. After destroying nearly everything of value he fell back down the river to Portsmouth, where he was kept closely within his intrenchments by the militia which Muhlenberg quickly collected. In view of the helpless state of Virginia, Washington dispatched Lafayette to its aid with 1,200 regulars from the main army, hoping, through the coöperation of the French fleet, to capture Arnold. Leaving his troops at the head of Elk River, Maryland, Lafayette hastened forward to Virginia. On March 19 he arrived at Muhlenberg's camp near Suffolk, but the next day the British fleet of Admiral Arbuthnot, having defeated the fleet of Destouches off the capes, landed 2,000 men at Portsmouth under command of Major-General Phillips. Advancing up the James again the British destroyed a large quantity of tobacco and other stores at Petersburg, but were prevented from taking Richmond by the timely arrival of Lafayette's force. On May 13, 1781, General Phillips died at Petersburg, and a week later Cornwallis arrived with his army from the Carolinas and assumed direct command, soon after which Arnold

returned to New York. The events of the campaign that followed, ending at Yorktown and bringing the war to a close, are too familiar to need repetition here.

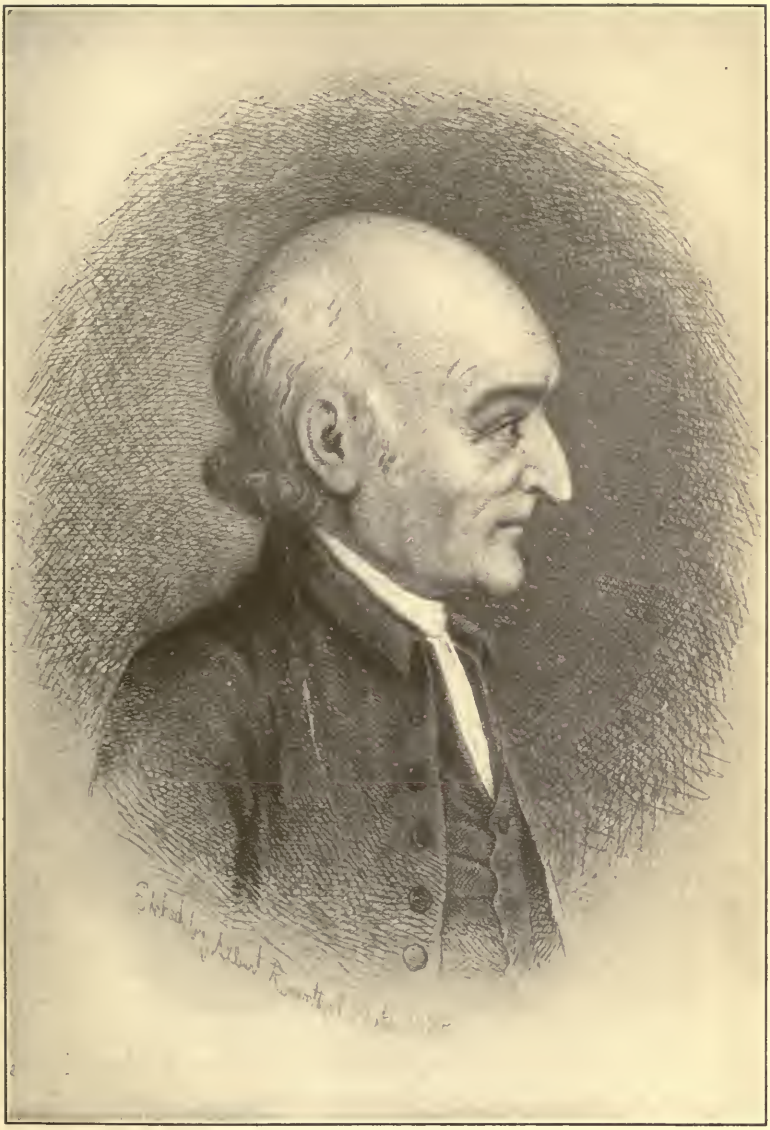
Governor Jefferson was severely criticized for his management of affairs during Arnold's invasion. He had to abandon Richmond and adjourn the legislature to Charlottesville, where he barely escaped capture by Tarleton's cavalry which Cornwallis sent there for that purpose. Jefferson could do little or nothing without the coöperation of the regular army, and Washington advised that the only safety for Virginia lay in the defense of the Carolinas. Accepting this view of the situation Jefferson hastened to the South every available musket, man, wagon and horse, thus leaving Virginia defenseless. Lincoln's surrender of Charleston and Gate's defeat at Camden were appalling disasters, but the brilliant strategy of Greene saved the day and justified the course that had been pursued.

The Virginia Navy of the Revolution.

Lord Dunmore's raids on the coasts of Virginia in the summer and fall of 1775 led the provincial convention, in December, to instruct the committee of safety to provide and equip vessels for the defense of the colony. The committee purchased five vessels and commissioned a number of officers, the most prominent of whom were captains James Barron, Richard Barron, Richard Taylor, Thomas Lilly and Edward Travis. In May, 1776, the convention appointed a board of naval commissioners consisting of five persons. During the next two years vessels were built on the Eastern Shore, on the Potomac, Rappahannock, Mattapony, Chicahominy and James, and at Portsmouth, Gosport and South Quay. A rope-walk was established by the state at

Warwick on the James, a few miles below Richmond; four naval magazines were opened at points on the James, York, Rappahannock and Potomac; the manufacture of sail-duck begun, and a foundry operated. In March, 1776, John Henry Boucher, who was then serving in the Maryland navy, was appointed to command the Potomac fleet, and soon after made commodore of the Virginia navy. He resigned in November, and in April, 1777, Walter Brooke was made commodore and served until September, 1778. The navy seems to have been practically out of commission for the next year or more, but on the transference of the war to the South it was reorganized, and in July, 1780, James Barron was appointed commodore and served until the close of the war.

We have the names of about seventy vessels commissioned by the state during the course of the war. Of these at least fifty were armed and equipped as vessels of war; the others were trading vessels serving under the direction of the navy board and under the immediate charge of William Aylett. As far as numbers go Virginia had the largest navy of any of the states. Massachusetts came next with sixteen ships. The energy of her maritime population went out mainly into privateering, so that it was difficult to get enough men to man the state ships; but in Virginia there was little privateering. The main service by the Virginia navy was in suppressing Tories and in freeing the waters of the Chesapeake of British privateers, but some of the Virginia vessels went as far as the West Indies and took some valuable prizes there. Some of the Virginia vessels were taken at sea and more than twenty were taken or destroyed by Matthews and Collier in 1779. When Arnold and Phillips invaded the state in 1781 only twelve vessels of the state navy remained, and



GEORGE WYTHE.

these were too poorly manned to be of much service. As the hostile force advanced up the river towards Richmond, this little fleet made a stand at Osborne's, supported by militia on the shore. The Virginians were soon compelled to abandon their ships. Some were scuttled or fired and others captured. None escaped. Only one vessel of the Virginia navy now remained—the *Liberty*. According to a recent authority, "The *Liberty* saw more service than any other state or continental vessel of the Revolution. She was in the employ of Virginia from 1775 until 1787."*

Conquest and Cession of the Northwest Territory.

By the Quebec Act of 1774 the territory lying between the Ohio and Mississippi rivers was annexed to the province of Quebec, and soon after the beginning of the Revolution Colonel Hamilton, the British commander at Detroit, undertook to organize the Indians of the Northwest for an attack on the settlers south and east of the Ohio River. But his plans were thwarted by the foresight of a young Virginian, George Rogers Clark, one of the early settlers in Kentucky who, counting on the support of the French inhabitants, was convinced that with a small force he could take possession of this territory. Late in the autumn of 1777 he made his way back to Virginia along the Wilderness Road and laid his plans before Governor Henry. As it was of the utmost importance that the enterprise should be kept secret, the governor did not consult the legislature, but after conferring with Jefferson, Wythe and Madison he authorized Clark to raise a force of 350 men for the expedition. Clark immediately recrossed the mountains and began collecting

*Paullin: *The Navy of the American Revolution*, 417

men and supplies on the upper Ohio, nominally for the defense of Kentucky. By May, 1778, he had succeeded with difficulty in getting together 180 picked riflemen, a flotilla of small boats and a few pieces of light artillery. With these he proceeded down the Ohio to its junction with the Mississippi and disembarked in what is now southern Illinois. Marching his force over the prairie to Kaskaskia he surprised the garrison and took possession of the town without resistance. With the aid of Father Gibault, a Catholic priest, he succeeded in winning over Cahokia and other neighboring villages.

As soon as Governor Hamilton heard of these events he marched from Detroit with a motly force composed of 500 men, regulars, Tories and Indians, to Vincennes on the Wabash and garrisoned that fort. But Clark was not to be outdone. Sending some provisions and a few pieces of artillery around by the Ohio and Wabash, he set out from Kaskaskia in the dead of winter with 130 men, marched for sixteen days in the face of apparently insurmountable difficulties across the drowned lands of Illinois, met his boats just in time to save his party from starvation and despair, and appeared before Vincennes to the utter amazement of the British garrison. The town readily submitted, and after a siege of twenty hours Hamilton surrendered the fort February 23. The Northwest territory was thus secured to Virginia and organized as the "county" of Illinois.

The importance of this brilliant exploit was destined to be far greater than even Clark foresaw, for when the treaty of peace was being negotiated at Paris in 1782 our allies, France and Spain, were both more than willing to sacrifice our interests in order to keep us out of the Mississippi Valley, and the western boundary of the United States would un-

doubtedly have been fixed at the Alleghanies instead of the Mississippi but for the fact that this western region was actually occupied by Virginians.

At the close of the Revolution the boundaries of Virginia extended from the Atlantic Ocean to the Mississippi, and from the parallel of 36° 30′ on the south to the Great Lakes on the north; but the vast extent of these imperial possessions aroused the jealousy of the other states and rival claims to a part of the territory north of the Ohio River were revived. Virginia's original claim to this region was based on the charter of 1609, which conveyed all the lands 200 miles north and 200 miles south of Point Comfort, "up into the land, throughout from sea to sea, West and Northwest." The later grants to Massachusetts and Connecticut, as described in their charters, likewise ran west to the Pacific, the impression of that day being that the continent was no broader here than in Mexico. New York, as successor to the rights of the Iroquois, asserted a rather shadowy claim to this territory, whose tribes had formerly been subject to the Six Nations. To her original claim Virginia added the stronger claim of conquest and possession. The little states, Rhode Island, New Jersey, Delaware and Maryland, which had no claims to western lands, were strongly opposed to recognizing the claims of the larger states. Maryland first proposed the cession of all western lands to the Union, and later declared that she would not ratify the Articles of Confederation until she should receive some assurance that the states in question would cede their claims. In February, 1780, New York decided to surrender her claims to the general government, not a very great sacrifice on her part, and a little later Connecticut offered to cede her claims with the exception of 3,250,000 acres reserved for school purposes. This arrangement

was not approved at the time, but was finally agreed to in 1786. In January, 1781, Virginia agreed to cede her lands on condition of being guaranteed in her possession of Kentucky, but three years later the cession was made without this proviso, and a few weeks later Massachusetts followed with a surrender of her claims.

In 1784 Jefferson proposed in Congress a scheme for the government of the Northwest Territory which, among other provisions, excluded slavery. Though stricken out at the time, this provision was later embodied along with other ideas of Jefferson in the celebrated ordinance of 1787. The creation of a national domain was a mighty stride forward in the formation of a permanent union. The possession of a territory of its own outside the limits of the several states gave the government something of a national character, and was destined to have far-reaching influences on its development.

In 1791 Kentucky was organized with the consent of Virginia as a separate state, and the bounds of the "Old Dominion" were thus reduced to the point at which they remained until 1861.

The Adoption of the Constitution of the United States.

When the Articles of Confederation had proven inadequate and the union of states seemed drifting toward anarchy, Virginia took the first step in the formation of a new government by inviting the states to send delegates to Annapolis for the purpose of conferring additional powers on Congress, and when the Federal convention met at Philadelphia in May, 1787, Washington was chosen to preside over its deliberations. His sound sense, dignified bearing and tactful manner contributed more than any other single factor towards the ultimate success of the work. The leading part in the

JAMES MADISON.

proceedings was taken by another son of Virginia, James Madison, who became known as the "Father of the Constitution." He was the author of the Virginia plan which formed the basis of discussion and entered largely into the new constitution. Washington laid the work of the convention before Congress, accompanied by a letter, and after eight days of discussion the constitution was submitted to the states for ratification. The next question was, would the states ratify? Of this there was grave doubt.

In Virginia Patrick Henry and Richard Henry Lee had opposed the whole plan of a Federal convention and had refused to go as delegates, while George Mason and Edmund Randolph had refused to sign the constitution after it was drafted. Delaware, Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland and South Carolina ratified in the order named before the meeting of the Virginia convention June 2, 1788. As it took nine states to put the new government into operation, all eyes were now turned to Virginia. Patrick Henry led the fight against the constitution and brought to bear against it all the force of his fiery eloquence. He was ably seconded by George Mason and William Grayson. Madison, meanwhile, had won over to his side Gov. Edmund Randolph, and Washington's influence, though he did not attend the convention, carried great weight with the members. Madison was aided by the popular eloquence of "Light-Horse Harry" Lee and the forceful arguments of John Marshall. The debate finally narrowed itself down to the question whether the constitution should be ratified as it stood and amendments subsequently proposed, or whether ratification should be postponed until another Federal convention could convene and make the desired changes. The former

alternative was finally adopted, and on June 25 the constitution was ratified by a vote of eighty-nine to seventy-nine. It was learned later that New Hampshire had ratified four days earlier, making the ninth state, but the action of Virginia was none the less decisive for it turned the scale in New York, which, after a long struggle, followed Virginia's example, and the new government was organized notwithstanding the fact that Rhode Island and North Carolina still held back. Patrick Henry's principal objection to the constitution was the absence of a bill of rights. His fierce opposition had its effect, and in ratifying the constitution the convention proposed a score of amendments which, together with those proposed by other states, were finally reduced to ten. The first ten amendments are thus, in part at least, Henry's contribution to the constitution, and no student of constitutional history will deny that he was right in insisting on a bill of rights.

Resolutions of 1798-1799.

The closing years of the century were marked by the bitterest partisan feeling. During the administration of President Adams, while relations with France were strained and war imminent, the Federalist majority in Congress passed the alien and sedition acts, the first empowering the President to remove objectionable aliens from the country, and the second seriously restricting freedom of speech and the liberty of the press. The intention of the acts was to intimidate the Republicans and suppress certain of their newspapers. Jefferson's followers were greatly incensed and at once took steps to counteract the effect of the acts and to secure their repeal. Jefferson prepared a set of resolutions for the Kentucky legislature which were introduced by John Breckinridge and passed Nov.

10, 1798. They declared that the alien and sedition acts were "void and of no force," and appealed to the other states to protest and to take steps to secure their repeal at the next session of Congress.

At the same time Madison prepared resolutions of similar purport which were introduced in the Virginia legislature by John Taylor, of Caroline. They declared that the Federal government was a compact, that the powers of Congress were limited by the plain sense and intention of the instrument constituting that compact, and that in case of a deliberate, palpable and dangerous exercise of other powers not granted, the states had the right and were in duty bound "to interpose for arresting the progress of the evil, and for maintaining within their respective limits the authorities, rights and liberties appertaining to them." The resolutions were forwarded to the governors of the other states, inviting them to declare the said acts unconstitutional and to coöperate with Virginia in maintaining the rights of the states unimpaired. Answers decidedly unfavorable, some of them strongly condemnatory, were received from Delaware, Rhode Island, Massachusetts, New York, Connecticut, New Hampshire and Vermont. This threw Virginia on the defensive and precipitated a hot discussion between the two political parties within the state. At the next meeting of the legislature Madison presented an able and lucid report in defense of the resolutions of the previous year. The "Madison Report" of 1799 was widely accepted as an authoritative exposition by the "Father of the Constitution" of the doctrine of states' rights. In the effort to perpetuate their power the Federalists had overstepped themselves, and the following year they were swept out of office never to recover control of the government.

Internal Improvements and the State Debt.

When the National government assumed the revolutionary debts of the several states in 1790, Virginia had already extinguished the greater part of hers and hence opposed assumption. Most of the states remained free from debt until the period of development following the war of 1812, when the demand for better means of communication led to the creation of public debts for the construction of roads, bridges and canals. At this time the part of Virginia lying east of the Alleghanies was devoted largely to agriculture and grazing with but few manufactures, while to the west, in the counties now embraced within the state of West Virginia, lay vast stores of minerals and timber as yet inaccessible. In order to develop these resources and bring them to the markets of the world, the state undertook the construction of graded roads, bridges, canals and, later, railroads, extending from tidewater towards the Ohio River. Some of these works were constructed on state account, but the greater part of them by state subscription to the capital stock of incorporated companies. The appropriations and subscriptions were expended under the direction and supervision of a board of public works created as early as 1816, the members of which were elected by the voters of the state at large. The expenditures did not assume very large proportions until 1837, but from that time on they grew at a progressive rate until 1860. The total sum appropriated for internal improvements and banks was over $40,000,000, less than a fourth part of which had been liquidated before the War of Secession. By 1850 the state debt had grown to about $10,000,000, and by 1860 it had reached the sum of $33,000,000. Of this amount $4,761,564 had been incurred for roads, turnpikes and bridges; $12,492,616

for canals and river improvements, and $15,440,910 for railroads. Appropriations for works of internal improvement were almost invariably supported, as the legislative records show, by a majority of the members from the counties west of the Alleghanies, and almost invariably opposed by a majority of the members from the eastern counties. Thus Virginia entered on the War of Secession burdened with a heavy debt, which was soon made all the heavier by the separation of the counties in whose interests and by whose votes the debt was created.*

State Sectionalism.

The diversity of interests between the East and the West was responsible for the early development of sectionalism within the state. The constitution of 1776 continued in force the colonial system of representation in the state legislature, which was based on districts and not on population. With the development of the western counties came the demand for larger representation in the General Assembly and the extension of the suffrage, but the eastern counties resisted every attempt to deprive them of the political ascendancy they had inherited from earlier times. From 1790 on petitions for reform were presented at nearly every session of the legislature, but without effect. Finally, in 1816, a convention of prominent men from the western counties met at Staunton and drew up a memorial asking the legislature to submit to the voters the question whether or not a convention should be called to equalize representation on the basis of the white population. The organization of the Senate was especially unfair. The western section, with a white population of 233,469, had only four senators,

*For most of the facts in regard to the creation of the state debt the writer is indebted to the briefs and papers prepared by Hon. William A. Anderson in the case of Virginia *vs.* West Virginia.

while the eastern counties, with a white population of 342,781, had twenty senators. As a result of the Staunton memorial the House of Delegates passed a bill in favor of a convention, but the Senate rejected it. In order to allay the growing discontent, however, the legislature proceeded to reorganize the Senate, giving the East fifteen and the West nine senators.

Finally, in December, 1827, the legislature agreed to submit the question of calling a convention to the voters. The measure was carried by 21,896 to 16,637 votes. The reformers wanted the delegates to the convention assigned on a basis of white population, while the conservatives demanded a mixed basis of white population and taxation, or Federal numbers, that is, white population and three-fifths of the slaves. After long discussion the House adopted the county system as the basis of organization, but this plan was rejected by the Senate and the two houses finally agreed on the senatorial district as the basis, each district to be allowed four delegates.

The convention of 1829-30 was remarkable for the number of able men who sat in it, among them ex-Presidents Madison and Monroe, and Chief Justice Marshall. After discussing the basis of representation for weeks, a committee was finally appointed to apportion delegates for the House without adopting any basis. As a result the Trans-Alleghany district was given thirty-one delegates, the Valley twenty-five, Piedmont forty-two and Tidewater thirty-six.

The suffrage question was the next most important subject before this convention. The constitution of 1776 had left the suffrage where it was fixed by act of the House of Burgesses in 1736. This act vested it in freeholders, a freehold being defined as

JAMES MONROE.

100 acres of unimproved, or twenty-five acres of improved land, with a house on it, or a house and lot in town. The convention of 1829-30 refused, after a stormy debate, to consent to any radical reform. The suffrage was extended to leaseholders and taxpaying housekeepers, but this added only a few thousand to the electorate.

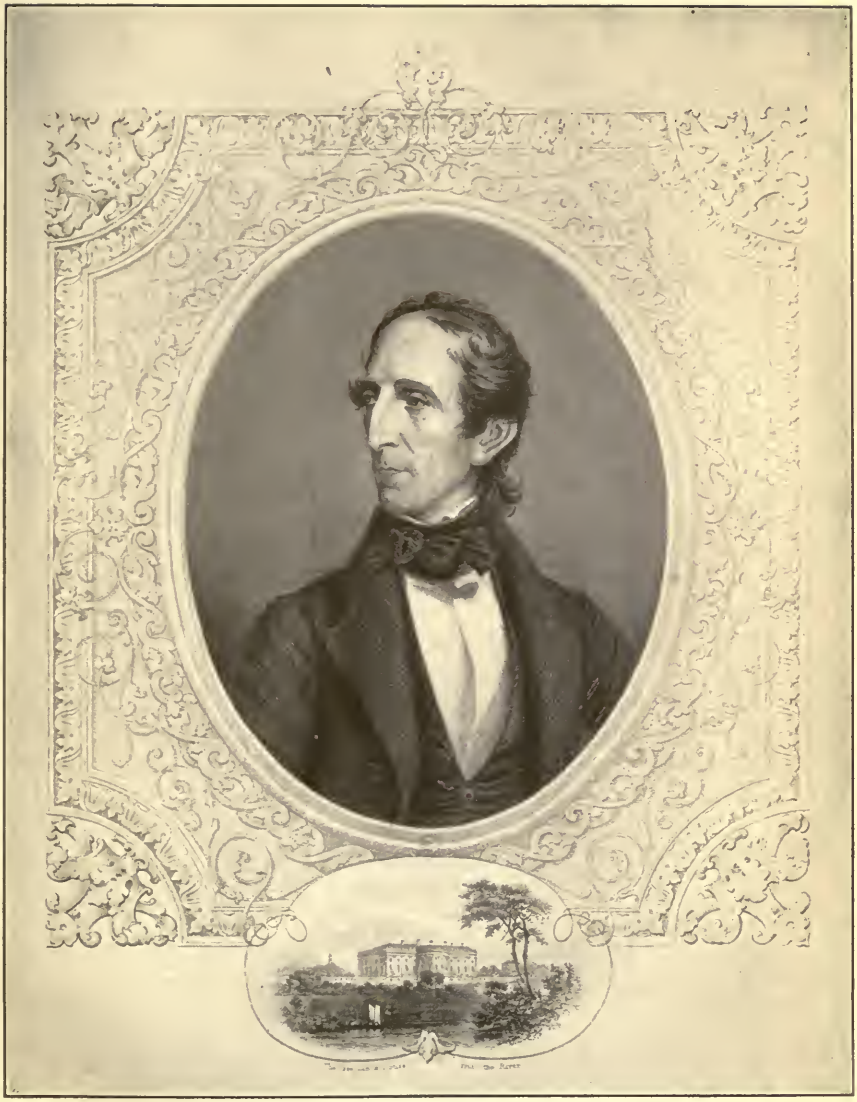
The West was by no means satisfied, but remained quiet for a while. In March, 1850, the General Assembly finally agreed to submit the question of calling another convention to the people, determining in advance, however, that the convention should be organized on the mixed basis (white population and taxation). This arrangement gave the East seventy-six delegates and the West fifty-nine, an eastern majority of seventeen; whereas, on the white basis, the East would have had sixty-one and the West seventy-four, a western majority of thirteen. In spite of the fact that the East controlled, the convention of 1850-51 is known as the reform convention. The apportionment of representatives for the House was finally fixed on the white basis, giving the West eighty-three delegates by the census of 1850, and the East sixty-nine, while the Senate was still based on an arbitrary apportionment of thirty to the East and twenty to the West. The West now had a majority of four on joint ballot. This convention also extended the suffrage to every male white over twenty-one years of age who had resided two years in the state and one year in the district. These two reforms, together with the popular election of governor and judges, changed Virginia from an aristocratic government into one of the most democratic in the Union.*

*For the facts stated in this section the writer is largely indebted to J. A. C. Chandler's two monographs on *Representation in Virginia* and *History of Suffrage in Virginia* in the *Johns Hopkins University Studies in Historical and Political Science.*

Slavery.

We have already referred to Jefferson's desire for the abolition of slavery in 1776. There were no stronger abolitionists in America at that time than Jefferson, George Mason and St. George Tucker, while Madison, Washington and Henry, though more conservative, earnestly desired to see slavery disappear. The disposal of the free negro—a question of little consequence at the North where the relative proportion of blacks was small—retarded all plans for general emancipation at the South, and while the question was continually discussed, no action was taken.

Nat Turner's insurrection in Southampton county in August, 1831, in which sixty-one persons, mostly women and children, were barbarously murdered, brought the question very forcibly to the attention of Virginia statesmen. On Jan. 11, 1832, Thomas Jefferson Randolph, a grandson of Jefferson, proposed to submit to the voters a plan for freeing all slaves born after July 4, 1840, the males on arriving at twenty-one and the females at eighteen, and for removing them beyond the limits of the United States. This motion was tabled without a recorded vote. The general question continued to be very earnestly debated, however, for two weeks, when it was finally disposed of on a test resolution declaring that it was expedient to adopt some legislative enactments for the abolition of slavery. This motion was defeated by a vote of seventy-three to fifty-eight. The rise and growth of Garrisonian abolition at the North during the next twenty years threw the South on the defensive, and the abolition sentiment in Virginia never again acquired the force that it had in 1832. It is estimated that at least 100,000 slaves were freed by Virginians between the Revolution and the War of Secession



JOHN TYLER.

without legal compulsion, as against a total of 59,421 freed in the entire North by legislation.

Secession.

South Carolina passed the ordinance of secession Dec. 20, 1860, and was followed during January by Mississippi, Florida, Alabama, Georgia and Louisiana, and on February 1 by Texas. The Virginia legislature was convened in extra session by Governor Letcher January 7, and issued an invitation to the other states to send commissioners to a convention in Washington "to adjust the present unhappy controversies." But the time for compromises had passed, and the so-called "peace convention" which assembled at the national capital February 4, and over which ex-President Tyler presided, accomplished nothing.

On the day that the peace convention assembled the election of delegates for a state convention was held in Virginia, and resulted in a Union victory. Of the 152 delegates chosen 30 were classed as secessionists, 20 as Douglas men and 102 as Whigs, but not more than half a dozen were "actual submissionists—that is, men in favor of the preservation of the Union under any and all circumstances." When the convention met it soon became evident that, while a large majority were opposed to secession as matters then stood, a large majority were also opposed to coercion. Lincoln's inaugural address was a great blow to the Union men of Virginia, and when it became evident that he did not intend to evacuate Fort Sumter the secession forces gained strength rapidly. Still, as late as April 4 a resolution to submit an ordinance of secession to the people was voted down in the convention by 89 to 45. On April 15 President Lincoln issued a call for volunteers and called on the governor of each state

for its quota. Virginia was thus forced to choose between joining the Confederacy and assisting in its coercion. There was little doubt as to the outcome. On the 17th the convention passed the ordinance of secession by a vote of 88 to 55, subject to ratification by the people at the polls. As soon as the vote was announced nine delegates changed their votes from negative to affirmative and six new votes were recorded, so that the final vote stood 103 to 46. The scene is described as both solemn and affecting. One delegate, while speaking against the ordinance, broke down in incoherent sobs; another, who voted for it, wept like a child. The sentiment of the people had run ahead of their leaders. A. H. H. Stuart, who had strenuously opposed secession, now issued a letter urging the people to stand together, and John B. Baldwin, when asked by a Northern friend "What will the Union men of Virginia do now?" replied: "There are no Union men left in Virginia." On April 20 Robert E. Lee, refusing the chief command in the United States army, resigned his commission and offered his services to his state. Governor Letcher, who had been a strong Union man, at once took steps for the defense of the state and formed a provisional alliance with the Confederacy. The ordinance of secession was ratified by the people May 23 by a vote of 96,750 to 32,134, the opposition coming almost exclusively from the western counties, which soon after took steps to separate from the state. Reluctantly and in sorrow, but calm and strong in the consciousness of right, Virginia severed the ties that bound her to the Union she had done more than any other state to form, and devoted her soil to the carnage of war.

Bibliography.—Ballagh: *History of Slavery in Virginia* (1902); Chandler: *Representation in Virginia in Johns Hopkins University Studies* (1896), *History of Suffrage in Virginia in Johns Hopkins Uni.*

versity Studies (1901); Force: *American Archives* (5th series); Graham: *Life of General Daniel Morgan* (1856); Goolrich: *Life of General Hugh Mercer* (1906); Heitman: *Historical Register of the Officers of the Continental Army* (1893); Henry: *Life of Patrick Henry* (1891); Muhlenberg: *Life of Major-General Peter Muhlenberg* (1849); Paullin: *The Navy of the American Revolution* (1906); Rhodes: *History of the United States* (Vol. III., Chaps. XIV. and XV.); Tower: *The Marquis de LaFayette in the American Revolution* (1895); Tyler: *Letters and Times of the Tylers* (1885); Weedon: *Valley Forge Orderly Book of General George Weedon* (1902); Wise: *Seven Decades of the Union* (1881); *The Virginia Navy of the Revolution* in *Southern Literary Messenger* (1857, January, February, March, and April); *Writings* of Washington, Jefferson and Madison; *Virginia Debates of* 1788 in Elliot's *Debates* (Vol. III.); *The Virginia Report and Debates* 1798–1799 (1850); *Proceedings and Debates of the Virginia State Convention of* 1829–30 (1830); *Journal, Acts, and Proceedings of the Virginia Convention of* 1850–51 (1851); *Journals of the House of Delegates of the Commonwealth of Virginia.*

JOHN HOLLADAY LATANÉ,

Professor of History, Washington and Lee University.

CHAPTER VI.

VIRGINIA IN THE CONFEDERACY, 1861-1865.

Virginia's Unwillingness to Leave the Union.

Virginia was attached to the Union more strongly than any other state. None of them had done so much to create and enrich it. Her sons had taken the leading part in securing its independence, and were chiefly instrumental in framing the constitutional compact, which was designed to secure to each and all of the states the blessings of liberty and peace, without the sacrifice of rights. When objections were made by other states, in the formative period, that Virginia's vast territorial area would give her undue preponderance in the new government, with a free, self-abnegating hand, she conveyed to the United

States her territory northwest of the Ohio River "for the common benefit of the Union." The Louisiana purchase made by President Jefferson, added to the national domain an area larger than the original states. The armies which acquired the larger part of Mexico, and expanded our possessions on the Pacific Ocean into imperial proportions, were commanded by Virginia generals. Indeed, the stars in the blue field of the national flag are a proof to those who know their story and significance of the Old Dominion's devotion and sacrifices for the Union. And not less earnest, though unavailing, were Virginia's efforts to preserve the Union than those she had successfully made to secure its formation and prosperity.

Never did her people rise so high above all selfish considerations, and stand upon a sublimer moral plane, than when they took up arms for their convictions of right and duty, in the then impending conflict. And it will ever be a proud recollection of Virginians that every effort short of abject humiliation and abandonment of their time-honored and sacred principles, was made by her representative bodies to avert a war which cost ten thousand millions of money (five times the value of all the slaves), and nearly 1,000,000 men who perished by the sword or by disease.

On Jan. 1, 1860, John Letcher, an ardent Union man, succeeded Henry A. Wise as governor of Virginia. In his inaugural message to the General Assembly, he strongly urged the calling of a state convention to consider and provide a remedy for the alarming state of political affairs, if the Union were to be preserved, "to which end everything should be done consistent with honor, patriotism and duty."

Disintegrating events, in rapid succession, signalized the year 1860. There were four presidential tickets in the field. Two of them represented wings

or factions of the Democratic party, to wit: (1) Douglas, of Illinois, and Johnson, of Georgia; (2) Breckinridge, of Kentucky, and Lane, of Oregon. Another ticket was Lincoln, of Illinois, and Hamlin, of Maine, sectional candidates, upon an anti-slavery platform. The fourth was Bell, of Tennessee, and Everett, of Massachusetts, upon the broad platform; "The Union, the Constitution and the Enforcement of the Laws." Virginia cast her electoral vote for Bell and Everett. Lincoln received a majority of the electoral college, but fell far short of a majority of the popular vote, having received only 1,857,610 as against 2,804,560 cast for the other candidates. This election of sectional candidates by an exclusively sectional vote caused intense excitement, especially in the extreme Southern states, whose people regarded it as the precursor of a war against their reserved rights and domestic institutions.

President Buchanan was torn by conflicting opinions. He argued against the right of secession, but expressed doubt as to the right of the government to coerce a state by military force. The situation thus became more complicated and strained by the vacillation of the administration, which seemed like a ship adrift in a tempestuous sea. Seven Southern states had seceded and their senators and representatives had withdrawn from Congress. They took possession as far as possible of such of the forts and arsenals of the United States as were within their borders, and demanded those which were still held by the government.

In the midst of these exciting events, Governor Letcher, on Jan. 7, 1861, convened the General Assembly of the state in extra session. Among its first acts was a call for a state convention, the people when electing delegates thereto, to vote also on the question as to whether any ordinance changing the

relations of Virginia to the other states of the Union should be submitted to a popular vote for approval or rejection. It also invited the other states of the Union to meet Virginia in a peace conference at Washington, to devise, if possible, a plan of pacification, naming as her own representatives ex-President John Tyler, William C. Rives, John W. Brockenbrough, George W. Summers and James A. Seddon, from different parts of the state, and all men of national distinction. It also appointed Mr. Tyler a commissioner to the President of the United States, and Judge John Robertson a commissioner to the states that had seceded to urge them to refrain from acts likely to cause a collision of arms, pending Virginia's efforts to secure peace. The peace conference met in Washington and the venerable ex-President Tyler was made president of it.

When the result of its anxious deliberations was transmitted to Congress, with a favorable message from President Buchanan, Senator Crittenden appealed for a vote, either for his own plan, or that of the peace congress, and Senator Hunter declared that Virginia would deeply deplore the failure of her patriotic mediation.

Though the peace conference really represented a majority of the people of the country, and a still greater preponderance of its wealth, its intelligence and patriotism, the radical element of the North had control of Congress, and rejected all propositions of compromise.

The Virginia convention, the embodiment of her sovereignty, met on Feb. 13, 1861. Its members were chosen from its ablest and most distinguished citizens without regard to party predilections. Its composition proved that the people of that state did not regard Mr. Lincoln's election as a sufficient cause for secession, for at least two-thirds of its members

were elected as "Union men," and believing that there was still at the North a strong sentiment opposed to the coercion of the seceded states, the convention, "like a strong man struggling with the storms of fate," tried every expedient of negotiation in the hope of an adjustment which would restore the Union.

"Better for the South to fight for its rights within the Union than out of it," was a very general sentiment. Notwithstanding the failure of the peace conference, the convention, soon after Mr. Lincoln's inauguration, sent William Ballard Preston, Alexander H. H. Stuart and George W. Randolph as a committee to wait upon him and advise a pacific policy.

Virginia Secedes.

In the convention a report was presented recognizing the right of a state to secede, but asking for a convention of representatives from the eight Southern states still remaining in the Union, to be held at Frankfort, Ky. "The peculiar relation" of these border states "to the other states" made it proper in the judgment of the convention that they "should consult together and concert such measures for final action as the honor, the interests and the safety of the people thereof may demand." While the reports and amendments were being discussed the committee which had waited upon President Lincoln returned to Richmond and reported the result of their mission, whereupon the convention went into secret session to consider it. While thus deliberating, Mr. Lincoln, on April 15, issued a proclamation calling for 75,000 militia, apportioned among the states, to suppress combinations against the laws of the United States in the states of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana and Texas. It was stated that the first service as-

signed to the forces called out, would probably be to repossess the "forts, places and property which had been seized from the Union." The quota called for from Virginia was three regiments, embracing 2,340 men, to rendezvous at Staunton, Wheeling and Gordonsville. Governor Letcher made prompt reply in these memorable words: "I have only to say that the militia will not be furnished to the powers at Washington for any such use or purpose as they have in view. Your object is to subjugate the Southern states, and a requisition made upon me for such an object—an object, in my judgment, not within the purview of the constitution or the act of 1795—will not be complied with. You have chosen to inaugurate civil war, and having done so, we will meet it in a spirit as determined as the administration has exhibited towards the South."

Lincoln's proclamation blasted the last hope of a peaceful settlement, and precipitated the war. It also determined the action of the convention. The Hon. John Goode, the only survivor of this distinguished body, in his *Recollections of a Lifetime*, gives the following account of its action in view of the President's declaration of war.

"The middle-men, so-called, who had held on to the Union as the ship-wrecked mariner holds to the last plank when the midnight storm and tempest are gathering around him, were swept away by the overwhelming tide of popular excitement. They realized that the Union had already been dissolved by the withdrawal of the seven seceding states, and that the proclamation of President Lincoln had reduced Virginia to a most distressing alternative. She must fight on one side or the other. She must unite with the North in the work of subjugation, or she must stand as the defender of her Southern sisters. She knew full well that if she attempted to secede she would have to take upon herself the principal burden of the great conflict; that every foot of her soil would be pressed by the red, fiery hoof of war, and that every field would soon become a battlefield. But she did not hesitate. She resolved that every consideration of duty and of honor required her to unite her fortunes with those of the seceding states. On April 16, William Ballard Preston submitted 'An ordinance to repeal the ratification of the constitution to the United States of America by the state of Virginia and to

resume all the rights and powers granted under said constitution.' Mr. Robert E. Scott, of Fauquier, submitted a substitute providing for a vote on the fourth Thursday of May, to ascertain the preference of the people between immediate secession and a consultation with the eight slave-holding states still remaining in the Union before taking final action. After an earnest and solemn debate, during which strong men were seen to shed tears, the convention on April 17 rejected the proposed substitute and adopted, by a vote of 88 to 55, the ordinance offered by Mr. Preston.

"The ordinance was submitted to the people, and on the fourth Thursday of May it was ratified by a large majority, the vote being 125,950 for ratification, and 20,373 against it. It is proper to say that the vote in opposition was cast principally in the northeastern counties, whose members had voted against the ordinance in the convention, and which subsequently formed the new state of West Virginia."

Virginia's Army.

During the interval between the adoption of the ordinance of secession and its ratification by the people, the convention made provision for the creation of an army. Its action was kept secret for two days, in order to give the volunteer companies of the Valley time to capture the army and arsenal at Harper's Ferry, and for a sufficient force to assemble at Norfolk for the capture of the Gosport navy yard, but the Federal garrisons, learning of the movements, set fire to the buildings at both places and scuttled and burned the ships not in commission at the navy yard, and retired upon the approach of the troops. The governor was empowered to call into the service of the state "as many volunteers as might be necessary to repel invasion, and to invite all efficient and worthy Virginians in the army and navy of the United States to retire therefrom and to enter the service of Virginia, assigning to them such rank as would not reverse the relative rank held by them in the United States service, and would at least be equivalent thereto."

Col. Robert E. Lee was appointed commander-in-chief, with the rank of major-general, to take charge of the organization and operations of the military and

naval forces of the state. Col. R. S. Garnett, then holding a commission of adjutant-general of state forces, was General Lee's right-hand man in organizing and marshalling the troops that were to constitute the army of Virginia. The response to the governor's call for volunteers was prompt, enthusiastic and general, except in the extreme northwestern section. The "Provisional Army for the State of Virginia" was organized. The "Navy of Virginia" was established, to consist of two thousand seamen and mariners, and provision was also made for the organization of staff departments for the military forces of the state. Thus it will be seen that the organization of the army of Virginia was complete before the state formally joined the Southern Confederacy, and before its troops were merged by formal transfer with the provisional army of the Confederate States.

General Lee took up arms as a Virginian, and his people wish the world to regard him as their representative, not only in his reluctance to sever the ties which had bound them to the Union, but also in their determination to resist to the utermost the hostile invasion of their soil.

Adjutant-General Richardson reported to Governor Letcher, on April 17, 1861, the very day the state adopted its ordinance of secession, that the volunteer force of the state, rank and file, of all arms, amounted to only 18,300, of whom 6,150 were unarmed.

The expansion of this small nucleus into a grand array of sixty-four regiments and forty battalions of infantry, twenty regiments and forty battalions of cavalry, and 125 batteries of artillery, besides the engineers, the staff, the navy and marines, the militia of two classes, the local defense troops and reserves, it will be conceded was an "outburst of

ability and force" exceeding that of the Revolutionary era of our history.

Until the rosters, now being compiled by the war department, are published, the number of men furnished by Virginia to the Confederacy cannot be given with certainty, but from the best data available at present, it is estimated that the total will be about 175,000, including all classes. On April 24, the convention appointed commissioners to formulate a treaty with Vice-President Stephens for provisional coöperation with the Confederate states, and on the next day ratified the agreement and adopted its provisional constitution.

Events now followed in quick succession. The seat of government of the new republic was transferred from Montgomery to Richmond, the Confederate Senate and House of Representatives were housed in the old capitol along with the Senate and House of Delegates of Virginia.

Virginia's Contribution to the Confederate Armies.

Considering the meagreness of the military resources at the time, there has never been a more striking exhibition of governmental energy in marshalling and organizing troops than was shown by the Virginia authorities, and by General Lee, as commander-in-chief, during the two months spent in getting Virginia's army ready for the field.

It was a complete organzation when it was merged into the provisional army of the Confederate states. The Southern states sent their troops to Virginia as fast as they were organized, and in the north a vast army was being collected for the defense of Washington and the invasion of Virginia.

The war was now on in earnest, and Virginia, by reason of her border position, became the main battleground—the "Flanders of the South."

It is beyond the scope of this article to describe the great campaigns and battles which attracted the eyes of the world to Virginia during their progress and which invest the localities where they were tactically executed with lasting interest to historians and military students. And not to these alone—for if, despite the lapse of ages, patriotism will always gain force upon the plain of Marathon, "and piety grow warmer among the ruins of Ionia," surely undying glory will cling round the Virginia fields, whereon her sons and their brothers of the South for four years confronted their gigantic foe, and won victory after victory against tremendous odds, until their country's resources were exhausted, and victory was no longer possible to human valor. No wonder that an English paper, in reviewing the long and desperate struggle, enthusiastically said: "The countrymen of Lee and Jackson have made themselves forever famous."

The "Battlefields Map," on which the battles, combats and actions which took place within the limits of the state are located with red stamps, shows an aggregate of 1,404, and presents, at a single glance, a theatre of conflict more crowded with great martial exploits, and more profusely dyed with patriot blood than any similar area of the earth's surface whereon great armies have contended.

The best history of Virginia in the Confederacy is to be gathered from the biographies of her great commanders, but it would be obviously unjust to her civil authorities, constituted as they were chiefly from eminent citizens over military age, to obscure the fact that they measured up nobly to the emergencies which confronted them.

The list of generals appointed from Virginia is as follows: The Generals—Robert E. Lee, Joseph E. Johnston, Samuel Cooper (adjutant and inspector

MONUMENT OF J. E. B. STUART, RICHMOND, VA.

general); Lieutenant-Generals — Jackson, Hill, Ewell, Early, Pemberton; Major-Generals—Heath, Johnson, James L. Kemper, Fitzhugh Lee, G. W. C. Lee, W. H. F. Lee, Lomax, Magruder, Mahone, Maury, Pickett, Rodes, Rosser, Smith, Stevenson, Stuart, Taliaferro; Brigadier-Generals—Anderson, Armstead, Ashby, Barton, Beale, Chambliss, Chilton, Cocke, Colston, Corse, Dearing, Echols, Floyd, Garland, R. B. Garnett, R. S. Garnett, Harris, Hunton, Imboden, W. L. Jackson, Jenkins, J. M. Jones, J. R. Jones, E. G. Lee, Lilley, Long, McCausland, Moore, Munford, Page, Paxton, Payne, Pegram, Pendleton, Pryor, Randolph, Reynolds, Robertson, Ruggles, Slaughter, Starke, Stevens, Terrill, W. Terry, W. R. Terry, J. A. Walker, H. H. Walker, R. L. Walker, Weisiger, Wharton, Wickham, Wise.

The Virginians in the old navy came home promptly upon the call. They were a splendid galaxy, and wanted only the opportunity to achieve greater success and distinction than was possible under the existing conditions. But the naval power of the North was a far more effective factor in the overthrow of the Confederacy than were its land forces. This was because of its overwhelming preponderance as compared with the Confederate naval power. Many instances may be cited when the armies of the North, after defeat in the field, sought safety under the guns of their fleets. This was McClellan's refuge at Harrison's Landing, after the seven days' battles around Richmond. It severed the Confederacy, and made of no avail the large body of troops and much needed food supplies in the Trans-Mississippi country. When Grant's "On to Richmond" was arrested by the disaster to his army at second Cold Harbor, the navy was invoked to aid in the transfer of his base to the south side of the James. It is marvellous, in view of this immense superiority in naval

power and armament, that the Confederate navy made so brilliant a record. The explanation is to be found in the genius and audacity of its splendid personnel. The great sea fight in Hampton Roads, in which the home-made ironclad *Virginia* (*Merrimac*), with her wooden consorts, the *Raleigh,* the *Henry,* the *Jefferson* and *Teaser,* sank the *Cumberland* and *Congress,* and drove the *Monitor* to the shelter of shallow water, revolutionized naval warfare the world over, and made a glorious chapter in the annals of the sea, worthy of the days of Nelson and John Paul Jones.

The war governors of Virginia were the Hon. John Letcher and Gen. William Smith, ripe statesmen and noble patriots, the latter having won laurels in the field before being called, for the second time, to the chair of state. President Davis and the Confederate government had no more earnest and loyal supporters, and never had the state more devoted and efficient executives. Adopting Grattan's phrase in regard to Irish freedom to Virginia in the Confederacy, it may be truly said that Letcher "sat at its cradle" and Smith "followed its hearse."

There is a part of the history of this war period which no true American can recall without a blush of shame. It relates to the wanton cruelties and outrages upon unoffending citizens, notably in the Shenandoah Valley, and the brutal disregard of the usages of civilized warfare and the dictates of humanity by some of the officers of highest rank in the Union army. Monuments may be erected to them, but their infamy cannot escape the avenging pen of history. "Since the fall of Robespierre," said the Hon. Jeremiah S. Black, "nothing has occurred to cast so much disrepute upon Republican institutions."

The defense of Richmond was not so important

JOSEPH E. JOHNSTON.

because it was the capital of the state and of the Confederacy, as from the fact that its foundries, rolling mills, manufacturing establishments and railroad connections were, practically, the only source for the supply of the war and railway material essential to the maintenance of the armies in the field. The loss of Richmond, at any period of the war, would probably have been fatal to the Confederacy. The campaigns of the army of Northern Virginia, including Jackson's and Early's campaigns in the Valley, which caused consternation in Washington, were planned primarily for the defense of Richmond, and this must be borne in mind in studying them. The Federal government from the beginning realized the importance of capturing Richmond, and the Federal army, sent out in 1861, which was defeated at Manassas by Beauregard and others, was moving towards Richmond. In 1862, the famous campaigns around Richmond directed by McClellan, which came to defeat at the hands of Joseph E. Johnston and Robert E. Lee, were for the same purpose. This was followed by Burnside's attempt and his defeat by Lee at Fredericksburg, and Hooker's attempt and his defeat by Lee at Chancellorsville in May, 1863. The effort to capture Richmond was renewed in the spring of 1864 by General Grant, and was never abandoned until the Confederacy fell.

When Richmond was evacuated April 2, 1865, the fall of the Confederacy was at hand. It was a great heroic struggle that had been made to hold the capital of the Confederacy, and it took four years for the Federal armies to conquer it.

Conclusion.

The population of Virginia by the census of 1860 was 1,579,318. As a result of the war and dismemberment of the state it was 1,225,163 in 1870.

No sketch of the Confederacy is complete which fails to mention the work of the Virginia women and their Southern sisters. The influence they wielded was second to none other in its effect upon the fortunes of the Confederacy. But for the enthusiasm and encouragement so lavishly supplied from this inspiring source, the labors of statesmen and the plans of generals might have gone for nought.

"Eras," says Froude, "like individuals, differ from one another in the species of virtue which they encourage. In one age we find the virtues of the warrior, in the next of the saint." In the era of which we have written, Virginia had the honor of giving to the world a representative Hero, in whom the highest virtues of warrior and Christian were happily blended—a model for the uplifting of the human race and the exaltation of the moral standards of the world.

Bibliography.—Anderson, Archer: "Robert Edward Lee" (an Address delivered at the unveiling of the equestrian monument in Richmond); Bell, J. W.: *Memoirs of Gov. William Smith;* Bruce, P. A.: *Robert E. Lee* (American Crisis Biographies); Dabney, R. L.: *Defence of Virginia and of the South;* Davis, Jefferson: *Rise and Fall of the Confederate Government;* Goode, John: *Recollections of a Lifetime;* Gordon, John B.: *Reminiscences of the Civil War;* Henderson, G. F. R.: *Stonewall Jackson and the American Civil War,* Hotchkiss, Jed.: *Confederate Military History* (Vol. III., Virginia); Lee, Robert E.: *Recollections and Letters of General R. E. Lee;* Lee, Fitzhugh: *General R. E. Lee* (Great Commander Series); Long, A. L.: *Memoirs of General Lee;* McCabe, W. Gordon: "Siege of Petersburg" (an Address before the Association of the Army of Northern Virginia); McGuire, Christian: *The Confederate Cause and Conduct in the War between the States;* Taylor, Richard: *Destruction and Reconstruction;* Official Records of the Union and Confederate Armies; Southern Historical Society Publications.

Robert W. Hunter,

Secretary of Virginia Military Records, Richmond.

Chapter VII.

VIRGINIA IN THE NEW NATION, 1865-1909.

Reconstruction and Readmission into the Union.

From 1861 to 1865 two rival state governments claimed the allegiance of the people of Virginia. The regular state government with its seat at Richmond supported the Confederacy. The so-called "Restored Government of Virginia", with its seat at Wheeling and later at Alexandria, consented to the erection of the northwest counties of Virginia into the state of West Virginia and supported the Federal government.

After the evacuation of Richmond by the Confederate forces and the flight of President Davis and Governor Smith, martial law was declared and remained in force until May, 1865, when Gov. F. H. Pierpont, of the "Restored Government," moved from Alexandria to Richmond under instructions of President Johnson and undertook to govern the state by the aid of the Federal military authorities. This recognition of the Pierpont government gave Virginia a status different from that of most of the secession states. The state had a government in a measure representative of the people until it was destroyed by the congressional reconstruction acts of 1867. A legislature composed of three senators and nine representatives met in Richmond in June, 1865, enacted several needed laws, and provided for the election of a legislature really representative of the white people of the state.

It was felt that Virginia was now virtually restored to the Union. Speaker Downey, of the House of Delegates, said: "Virginia is now safe. What-

ever they may do to other states, they can not force a provisional government upon her. Whatever they may do to other states, thank God, they can not saddle negro suffrage upon us."

The election was held in October, 1865, and only about 40,000 votes were cast. Of the eight men elected to Congress, not one was a Republican. The radical vote in the Alexandria district was 1,732, the largest in the state. Party contests took place in only a few counties. The people, stunned and dazed by the results of the war, were apathetic and manifested little interest in politics. Distinctions between Whigs and Democrats had been largely obliterated by the war. No new party organization had been created except the Republican party, which was insignificant in numbers and influence. Governor Pierpont labored to re-establish civil government and to restore the state to her former status in the Union. The appointments made by the governor were very generally commended. The press began to assume an independent tone, for which several papers were, by the military authorities, ordered to suspend publication. The Federal military authorities continued to exercise the privilege of declaring elections null and void and to show in numerous ways that they regarded the Pierpont government as a mere provisional makeshift.

When the legislature met it elected two United States Senators. Virginia now had a full state government and had elected Representatives and Senators in Congress. The slaves were free; no army hostile to the United States was in the field. The citizens accepted in good faith the results of the war and sought restoration to the Union. According to the Lincoln-Johnson plan, Virginia had done all that was necessary on her part. The acceptance of her Congressional Representatives at Washington

ARMS OF VIRGINIA.

would render her restoration complete. Congress refused to seat the Representatives from Virginia. The presidential plan of reconstruction was contemptuously rejected, and Congress undertook the work of "reconstructing the rebel states."

Early in December, 1865, the legislature convened in Richmond, repealed the disfranchising clause of the Alexandria Constitution, as it had been authorized to do by the popular vote in October, enacted vagrant and contract laws, wiped out of the statute books all laws relating to slaves and slavery, placed negroes on about the same footing as whites as regards civil rights, but did not grant them the privilege of voting and holding office.

The vagrant act in particular was much criticised by the radicals and a few of the military commanders who insisted that the ultimate effect of the act was virtually to re-enslave the freedmen and to hold them in a condition worse than chattel slavery. General Terry ordered that no officer, civil or military, should enforce this act. These laws were much milder than in some other Southern states and in some of the New England states. There was no effort or intention in Virginia to re-enslave the negroes through vagrant and contract laws. Although they were economically and socially justifiable, owing to the state of public opinion in the North, it was not wise to enact them. Moreover, it would have been prudent to concede to the negroes a few rights and privileges that were withheld.

The legislature, despite the advice of the governor, rejected the Fourteenth Amendment by a vote of 27 to 0 in the Senate, and 74 to 1 in the House. The refusal to ratify the Fourteenth Amendment, the enactment of the so-called "black codes" of the South, the doctrine of equality in the North, the desire to punish and humiliate the South led, in

March, 1867, to the passage of the Congressional reconstruction acts by which the Pierpont government was practically destroyed and the state made "Military District Number One." Gen. John M. Schofield was made commander of this district with power "to abolish, control, modify or supersede" the state government. The negroes were enfranchised. The most influential and intelligent whites were disenfranchised. Stevens's "conquered province" theory had been sanctioned by Congress. Virginia was in reality no longer a state but was merely a district. For more than two and a half years it remained a mere military satrapy.

The Reconstruction Acts gave the ballot to the negroes and provided for a convention to amend the constitution. The radicals had hesitated to enfranchise the freedmen, as it was feared that the traditional control of the negroes by the whites would enable them to control the votes of their former slaves. The relation between whites and blacks was quite cordial for about one year after the close of the war. The whites felt little or no hostility towards the negroes on account of their changed condition. Most of the negroes still respected and trusted their old masters.

Radical teachers from the North, demagogues, and carpetbaggers, soon estranged the negroes and arrayed them against the whites. The Freedman's Bureau and the Union League were the organized agencies through which this alienation was accomplished. The Bureau was established in Virginia in 1865, and rendered some good service in protecting and feeding the blacks who were, in almost every sense, unprepared for immediate emancipation. Its officials witnessed and approved labor contracts between whites and blacks, assisted the negroes in securing justice in the courts, supplied many of them

with the means of making a crop, and established schools for the freedmen.

The officials were vested with great and ill-defined powers which were frequently abused. They often ignored the civil courts, assumed to administer justice, bullied the whites, ostentatiously exercised their authority and wantonly humiliated the leading citizens. They generally gave a ready ear to the negroes' stories of outrages, and encouraged them to prefer charges against the whites. Their presence encouraged the blacks in idleness and insolence and destroyed the friendly, confidential relations formerly existing between whites and blacks.

The Union League was a secret political society which undertook to instruct the negroes in their duties as citizens and to pledge them to act and vote with the Republican party. The League accomplished little in enlightening the late slaves but succeeded in alienating almost all negroes from their old masters and brought them under the influence of the radical Republican leaders.

The radicals and negroes had, in the summer of 1867, refused to "co-operate" with the representative white citizens in restoring political and social order. The election of delegates to the constitutional convention was held in October, 1867. About 94,000 negroes voted. Of this number only about 600 negroes voted with the conservative white element. One hundred and five delegates were elected, thirty-three conservatives and seventy-two radicals. The radical majority included five foreign born, twenty-five negroes, twenty-eight Northerners, and fourteen Virginians. Never before in the history of the state had negroes sat in a law-making body. The former political leaders were absent. The state had been revolutionized.

The convention was turbulent and garrulous. The

negro members favored mixed schools for the races, heavy taxes on land, disfranchising and "test oath" clauses, and other radical measures; but the convention would not consent to mixed schools.

The new constitution was very unpopular and was not submitted to the people for ratification until July 6, 1869. The disfranchising and "test oath" clauses were submitted to a separate vote and rejected. The constitution was adopted. The nominee of the radicals and negroes, H. H. Wells, who had been made provisional governor of Virginia by General Schofield, commander of "District Number One," was defeated by Gilbert C. Walker, the nominee of the conservatives and liberal Republicans. The legislature was conservative by a large majority. The aim of the reconstructionists had failed; Virginia was not to have a radical and negro régime such as had plundered and disgraced several Southern states.

Virginia was fully restored to the Union in January, 1870, by the admission of her representatives to seats in Congress. No law-making body had existed in Virginia for almost three years. A provisional governor, in all respects subservient to the military, had exercised a shadowy authority. Nearly five years had elapsed since the close of the war; nine years since her withdrawal from the Union. In that time old Virginia and the old Nation had passed away. In 1870 she became a new state in a new Nation.

Since 1870 the political history of Virginia has been uneventful. No guerrilla warfare in Virginia had followed the surrender. She probably suffered less from political misrule of the carpetbaggers and negroes than any other Southern state.

The constitution, ratified in 1869, had never been popular. Several amendments had rendered it less objectionable; yet many felt that it was burdensome

and did not meet the needs of the times. In 1901 a new constitution was formed and proclaimed without submission for popular approval. Many important changes were made. The time-honored county court was abolished. A corporation commission with very extensive powers was created. An educational qualification and the payment of a small poll tax were prescribed for voters. The suffrage provisions were ostensibly aimed at ignorant voters regardless of color. The actual result is the disfranchisement of a few whites and most of the negroes.

The State Debt.

About 1820 Virginia entered upon a policy of internal improvements. She was a large shareholder in several railroads, canals, turnpikes and other enterprises. She had also guaranteed bonds for industrial companies and municipalities. To pay for her shares in the railroad and canal companies she had issued bonds. The liabilities contracted in this way amounted to nearly $40,000,000 in 1860. The state as a partner or surety for the payment of bonds had developed her resources, but in the end she lost heavily from her shares in these improvements, as she abandoned, surrendered or released many of her claims without any remuneration.

At the close of the war most of these bonds were owned or held in the North or in Europe. Virginia had lost one-third of her territory, one-fifth of her taxable values, and more than 440,000 of her population by the erection of her northwest counties into the state of West Virginia in 1863. Her commerce and shipping were completely destroyed. Her transportation system was badly crippled. Many manufacturing establishments had closed. A large part of the state had been devastated by contending armies. Her financial system was ruined, her bank-

ing capital of $11,000,000 had vanished, slaves worth $100,000,000 in 1860 had been set free, and the interest on the public debt from 1861 was unpaid.

In this wasted and depressed condition of the state, repudiation of the debt was suggested, but this did not appeal to the Virginians' sense of honor. The last legislature of the old régime met in December, 1865, and voted *unanimously* to pay the debt with the accrued interest. It was considered that one-third of this debt was West Virginia's fair share. She had obligated herself in her "ordinance" to assume an equitable share of Virginia's debt. In February, 1866, the legislature made provisions to pay 4 per cent. interest on the entire debt, leaving West Virginia to pay 2 per cent. As West Virginia took no steps to meet her share of the interest nor to pay any of the debt, Virginia, in 1871, refunded the debt for two-thirds of its face at 6 per cent. In 1870, Governor Walker, in his message, had estimated the total debt at about $46,000,000.

The funding bill of 1871 was very unsatisfactory to a large number, who considered excessive Governor Walker's estimate, both of the debt justly due and the resources of the state. This feeling brought into existence the readjuster party under the leadership of General Mahone. It was composed of negroes, most of the Republicans, and many white Democrats. Its object was to "readjust" the debt. This party gained control of the legislature and, in 1881, elected William E. Cameron governor. After a few years many of the white men returned to the regular Democratic party, but many remained with the readjuster party, which for several years disclaimed any sympathy with the Republican party. In 1881 General Mahone, as a United States senator, identified himself with the Republicans. A large

number of white men, especially in the Southwest, followed him.

Since 1886 the Democrats have controlled every branch of the state government. For more than twenty years the debt question was the chief issue in Virginia politics and absorbed almost exclusively the attention of the legislature. The debt was finally adjusted and bonded in 1892. This controversy is a very unsatisfactory chapter in Virginia history. In the bondholders' interest Virginia brought suit to compel West Virginia to meet her share of the debt. The United States Supreme Court, in 1908, appointed a special master to examine the claims, and though still undecided, the rulings indicate that West Virginia will be required to pay her portion.

Political Conditions.

The reconstruction acts in the spring of 1867 enfranchised the negroes and disfranchised many whites. The carpetbaggers flocked to Virginia and ingratiated themselves into the favor and confidence of the negroes. The number of carpetbaggers in Virginia was never large, but their influence was out of all proportion to their number for several years succeeding 1867.

Virginia had no state government from 1867 to 1870, but was governed through the military. The army officers usually strove to be just and moderate. A state government controlled by the carpetbaggers, scalawags, and radical leaders of the negroes would have been more burdensome and odious than military government. Fortunately Virginia was held as a military district until theoretical differences and factional quarrels had weakened the radicals and the conservatives had an organization that enabled them in 1869 to purge the constitution of the proposed "disfranchising" and "test oath" clauses, and to

elect a governor and legislature in a large measure representative of the intelligence and property of the state.

The negroes of Virginia were superior to those of any other Southern state, yet they were not prepared for the ballot. They had been told that the land of the secessionists would be divided amongst them. To hasten this division of the land and to make sure of other rights and privileges, they eagerly entered politics.

For several years their unvarying practice was to find out what measures and candidates the conservative whites favored and then vote solidly against them. This made it impossible for the intelligent men of the state to coöperate with them. This refusal of the blacks to divide on political questions forced the whites to disregard national issues and stand as a unit for decent local government, which could be attained only through white supremacy.

In no country have English-speaking white people tolerated negro supremacy and it was not to be expected that Virginians would allow their civilization to be imperiled by allowing an ignorant negro minority, led by unscrupulous white demagogues, to plunder and betray the state. In the Valley and Southwest the negroes were only about 15 per cent. of the population. White supremacy was assured in these sections. East of the Blue Ridge more than 50 per cent. of the population was colored. In the South Side there were almost 220,000 negroes in 1865. In many counties the blacks constituted two-thirds of the population. In the parts of the state where they were most numerous they were most ignorant and unfit to vote. The alien and renegade leaders of the negroes committed gross frauds in elections. This condition of affairs explains, if it

does not justify, the use by the whites of the "tissue ballot" and other forms of fraud in elections. Great ingenuity and resourcefulness were manifested in circumventing the negro voters.

Probably the ballot has done the blacks some good, but it has also hurt them in many ways. They were debauched by their leaders and brought into antagonism to the whites. In the late 70's and 80's they exercised a considerable influence in the "readjuster party." The negro has been gradually losing influence as a political factor in Virginia and is now practically eliminated by the new constitution.

Virginia, as well as all other Southern states, has suffered from the subordination of all other issues to white supremacy, yet it has seemed to her that, in justice to her highest interest, she could not do otherwise. In the Southwest where the negroes are only a small part of the population the people have shown a disposition to ignore the race question and to divide on other issues. The elimination of the ignorant negro voter by the new constitution will probably bring about the same result in other sections. Before the war Virginians divided on national issues; since 1867 the race question has claimed the larger share of their attention.

Universal Education.

The establishment of an efficient system of public education in Virginia was one of the most important results of the upheaval attending the war.

Prior to 1860 there was no real public free school system. The state made an annual appropriation of $45,000 for the education of the poor white children and empowered the counties to establish free schools. The law was not compulsory, and free schools did not become general. In 1850 a capitation tax was levied for the support of schools. In

1850 there were, in all schools of the state, public and private, only about 52,000 children. In 1860 there were 67,000, of whom 31,000 were enrolled as paupers. There were no negroes in school. The conditions under which poor white children, in most places, could receive the benefit of the state's appropriation for schools, were destructive of self-respect. In the minds of most of the people a public school was a pauper school. Consequently it exerted little influence.

The white children of the middle and upper classes were educated in the "old field" schools. The teachers were often men of fine scholarship and gave sound instruction in English, mathematics, the classics, and history. There the sons of the leading families were prepared for the classical academies. Thence some went to the university; a large number, to their life's work. The "old field" schools and classical academies were reopened in 1865. They were inadequate and unsuited to the novel conditions existing after the war. Schools of these types are still to be found maintaining the best traditions of the past, yet their influence has declined, both absolutely and relatively.

It was universally felt at the close of the war that a complete system of state education should be established and *popularized*. The aristocratic framework of society had been destroyed. The state had been democratized. Social, economic and political life had been revolutionized. More than one-half million ignorant negroes had been injected into the citizenship. As long as they were slaves their masters had cared for their manual and moral training. As freedmen they could no longer receive this industrial and ethical discipline as formerly. They had been declared freemen and citizens and could justly claim from the state an education that would fit them to

meet the responsibilities of freedom and to discharge the duties of citizenship which had been thrust upon them. The state, in self-defense, had to provide for their education.

The public free schools in existence before 1860 had been distasteful to the indigent whites. The aristocratic character of society in a large part of Virginia had not been favorable to free public schools in any form. It was, therefore, necessary, not only to establish a free system of education, but to overcome the prejudice against it. The constitution of 1870 provided for a system of public free schools to be administered impartially between the white and black races. This was to be supported by state and local taxes, and the income received from the Literary Fund. In 1870 the legislature passed an act creating a complete free school system for the entire state. Equal educational privileges were given white and black children in separate schools. The greater part of the taxes are paid by the whites; nevertheless the state school funds are distributed on a per capita basis and not according to the amount paid by each race. The state has undertaken in good faith to educate negroes. They have from the beginning manifested great interest in education. In some respects they have been disappointed. "Book learning" has not done for them all that they had hoped. Probably the kind of education they have received in both public and private schools is not the kind that best fits them for their station and work in life.

In 1870 there were only 59,000 children in school. Ten thousand of these were negroes in schools established by Northern societies and the Freedman's Bureau. The act of 1870 creating a complete free school system went into effect immediately. During the scholastic year of 1870-71, the number of children

in schools rose to 158,000. This was an increase of 99,000 over the number in 1870 and more than twice as many as had ever before been in schools, public and private, in a single year.

For several years many white people stood aloof, but prejudice gradually wore away. The public schools have constantly grown in efficiency and popular favor. Practically all people of all classes now patronize them. Probably in nothing else is the contrast between antebellum and postbellum Virginia more clearly seen than in the changed estimation of free public education for all the people of all classes and races.

The institutions of higher learning and professional work before the war deservedly ranked amongst the first in the nation. These have been strengthened in their endowment and equipment. Their courses of study have been enriched and popularized. A very significant fact in the educational life of a state is the establishment of schools offering instruction in agriculture, mechanics, industry, teaching and commerce. Agricultural, mechanical, and normal schools have been established for the training of both races. The Hampton Normal and Agricultural Institute for negroes was opened in 1868. This school annually enrolls more than 1,000 students. It offers instruction in agriculture and the trades. Many of its graduates become teachers. The Virginia Normal and Industrial Institute at Petersburg annually trains the heads and hands of more than five hundred negroes. The Virginia Polytechnic Institute at Blacksburg, for whites, opened its door in 1872. It has continually grown in favor and usefulness. The white female teachers receive training in the Farmville Female Normal established in 1883. Female normal and industrial schools are now being established at Fredericksburg

and Harrisonburg. William and Mary College was opened as a normal school for white male teachers in 1888. Many other institutions offer agricultural, industrial, commercial and normal instruction.

New Industries and Wealth of State.

At the close of the war Virginia was more completely exhausted, economically, than any other southern state. She had been the chief theatre of the war from 1860 to 1865. More than five hundred battles and skirmishes had been fought on her fields. The valley had been completely devastated. Other parts of the state had suffered almost as much. Owing to the disordered and uncertain condition of society, industries revived slowly. Probably the state was poorer in 1870 than in 1865. At the close of the war the people returned to agriculture and stock-raising, which are still the fundamental occupations in Virginia. Great industries have developed, but their development has not been attended by a neglect of agriculture as has been the case in New England. Agriculture has grown each year since about 1870.

In 1907 the Jamestown Exposition, commemorating the three hundredth anniversary of the settlement of the state was held on Hampton Roads opposite Old Point, about ten miles from Norfolk. The variety and quality of the exhibits revealed the progress made by Virginia in agriculture, mining and manufacturing. The industrial side of the Southern seaboard states was also well displayed. The Exposition had the greatest display of American and foreign warships ever held in American waters. All of the thirteen original states were represented. A hall of history filled with relics, portraits and rare MSS. told, in concrete, the history of the development of the United States.

Market gardening in the tide-water region sprang into importance early after the war. In 1870 $1,048,000 worth of vegetables were shipped from Norfolk. In 1860 the total value of all market gardens in the state was about $500,000. Peanuts became popular in the North after the war. Millions of bushels of this profitable crop are now grown. Extensive orchards have been planted in the Piedmont and Southwest. Fruit growing is now a profitable business in many parts of the state. The quality of live stock has been improved. Some of the finest cattle and sheep farms in the United States are now in Virginia. The export cattle of the Valley and Southwest are unsurpassed.

Virginia is excelled by no state of equal size in the abundance and variety of her natural resources. Coal, iron, lead, zinc, building stones, cement material, and clays abound. She is unequaled in the variety of her mineral waters. A large part of her surface is covered with fine forests. The streams of all parts of the state except the tide-water afford abundant water power. The treasures of the Chesapeake Bay and the tide-water estuaries are inestimable. The soil and climate leave little to be desired. All the products of the temperate zone flourish within her borders.

During the last forty years Virginia has neglected her canals, most of which have fallen into disuse. She has always encouraged railroad building. Within the last twenty-five years railroads have penetrated all parts of the state. A remarkable development of manufacturing and mining has resulted. The quickening influence of improved transportation facilities has been felt in every section.

Before the war Richmond was a manufacturing and commercial centre. In 1870 she had fallen in the value of her products to about one-half that of

1860. Her commerce, domestic and foreign, was almost ruined. The new Richmond now has shipyards, iron works, locomotive works, the largest cedar works in the world, the largest publishing house in the South, tobacco factories, and a great variety of manufacturing industries which employ a large part of her people.

The shipyard at Newport News is one of the largest in the world. Seventeen railways now have their terminals in Norfolk. Their piers are amongst the largest on the coast. Twenty-six steamship lines connect the city with home and foreign ports. Norfolk is the largest coaling station in the world. Many other cities have developed great industries. Danville has cotton mills, and is the largest market in the world for bright, loose tobacco. Roanoke has machine shops; Lynchburg, tobacco factories and pipe works. Every city in the state has large and profitable manufacturing establishments.

The state has many rich coal deposits. The Southwest coalfield, including Tazewell, Russell, Dickenson, Buchanan, Wise, Scott and Lee counties, is by far the largest and most productive. The coal-bearing area of that section comprises nearly 2,000 square miles, of which probably 80 per cent. is now productive. The two principal fields thus far developed are the Pocahontas and the Big Stone Gap. The construction of the New River branch of the Norfolk and Western Railroad through southwest Virginia in 1882, opened up the Pocahontas coal district. The extension of the same road through the Clinch Valley gave an outlet to the mines of Tazewell, Russell, Dickenson and Wise counties. Four railroad systems now penetrate this field. Most of the coal counties will soon have ample railroad facilities. The Pocahontas is the best steam coal known. It is used on the ocean steamers of the principal na-

tions. It produces an excellent coke. Virginia ranks fourth in coke production. The coal interests are rapidly developing. In 1881 only 50,000 tons were mined in the state; in 1906, 4,275,815 tons. Almost all this comes from the mines in the Southwest.

Abundant ores, cheap coal, and ample transportation facilities have given the iron industry a phenomenal development in recent years. The output of pig-iron is yearly increasing. Many rolling mills have been established within the last few years. Stoves, cast-iron piping, car wheels, farming tools, machinery and general railway supplies are produced. Lumbering is one of the leading industries in many parts of the state. The new railroads have made accessible large tracts of practically virgin timber lands. Large quantities of forest products are shipped to the North or exported to Europe. Furniture factories and other wood-working establishments are found in all parts of the state, and are rapidly increasing in the capital invested and the value of the output.

Much of the crude negro labor has drifted away from the farm and has been absorbed in coal and iron mining and grading railroads. Virginia has made an earnest effort since 1865 to induce European immigrants to come to the state. In this she has been only partially successful. Very few unskilled foreigners have come to Virginia. The few that have come have been of the upper class, or skilled artisans.

Contrast of Old and New Economic and Social Conditions.

An economic and social system passed away with slavery. The old forms of industry and social life could not be restored in a large part of the state. East of the Blue Ridge slavery had entered so deeply into the warp and woof of life that immediate eman-

cipation shattered social and economic institutions. For nearly two hundred and fifty years the people in the oldest and most populous sections had been accustomed to slave labor with all its attendant circumstances and consequences. The strangeness of the situation at the close of the war bewildered both whites and blacks. The whites knew little of the dignity and possibilities of free common labor. The blacks had less appreciation of the responsibilities and duties of freemen. Under these conditions industry and trade revived slowly. A new economic and social life slowly emerged from the chaos. Both races in time adjusted themselves to new conditions. A fairly efficient system of hired labor was developed. Many of the negroes became small farmers and renters. The peculiar grace and form of old Virginia's social life passed away.

In the Valley and the Southwest slavery had exerted comparatively little influence, economically and socially. Negroes, bond and free, were only about 15 per cent. of the population. The employers of labor were more accustomed to free labor and its worth than were the planters east of the Blue Ridge. Society and industry were not based on slavery as in some parts of the South; therefore little social or economic disturbance resulted in these sections from the destruction of slavery.

The Valley and Southwest had each been plundered and wasted during the war, but the old framework of society remained virtually intact. The social upheaval had not so radically unsettled industry and social life as in the other divisions of the state. Notwithstanding the waste and loss of war the people soon adjusted themselves to the changed conditions. The adjustment was slow and painful in the other sections.

The old Virginia plantations were little industrial communities in which the division of labor system was adopted. On each large plantation there were blacksmiths, tanners, harness and shoe makers, carpenters, bricklayers, masons, spinners, weavers and tailors. In consequence of this there was little incentive to establish shops or factories to supply the planters with such goods as their own artisans could produce. There were few white artisans working for wages. Shops or factories, producing goods for sale, were rare in the planting sections.

The destruction of the old plantation life scattered the plantation artisans. The household industries decayed both on the plantation and the small farm. To take their place shops or factories sprang up and a large number of artisans began to work for wages. The growth of manufacturing is one of the most striking facts in Virginia's history in the last twenty-five years. Very few people, white or black, in Virginia now use furniture, farming tools, harness, iron goods, clothes, or shoes made by their own households.

In the sections where blacks were once the chief artisans, whites have taken their place. Few young negroes now become workmen. Probably there are now fewer black handicraftsmen than in 1860.

The antebellum aristocracy dwelt in the country. Land and birth were the foundations of social eminence. The rural gentry was, in a large measure, unable to adjust itself to the changes brought about by the war. The plantation life was broken up. In many cases the plantation itself came into the possession of the former overseer or tenant. The rural gentry moved to the towns and cities and took up professions or went into business. The old baronial life is at present almost unknown in the country districts where it once flourished. A part of the refine-

ment of the old days survives in the towns. West of the Blue Ridge the social framework was less seriously shattered, and the life of all classes remained about what it had been before.

Slavery is unfavorable to small holdings of land, intensive cultivation, and diversification of crops; and favorable to large holdings of land, extensive cultivation, and a single crop like tobacco or cotton. The plantation system with its corps of slaves absorbed the land and rendered it difficult for a man with small capital to become a landholder. The destruction of slavery crippled the plantation system. Many of the plantations were divided and sold to former tenants or overseers. In this way the number of landowners was increased. Intensive cultivation and diversification of crops have resulted from the decay of the plantation system and the division of the land into small farms.

In some sections the war set the poor whites free. They lost little or nothing by the war and gained in many ways. Their importance economically, socially and politically was greatly increased.

The plantation was a social settlement for the uplift of the negroes. Their health was carefully guarded. They suffered little from tuberculosis, typhoid, and venereal diseases. There was no drunkenness. Lunacy was almost unknown. They were given manual and moral training. Their masters and white ministers gave them careful religious instruction. Many of them attended the white churches. Negro meetings, noisy and turbulent, were held by preachers of their own race. There was virtually no race hatred. The blacks were considered a race, in every respect, inferior to the whites.

Tuberculosis, typhoid, and venereal diseases are making terrible inroads upon the freedmen. Drunkenness and lunacy are common. Few young negroes

are becoming artisans. They now have separate church organizations and fail to receive the sound moral and spiritual instruction they formerly received from the whites. There is less cordiality between the races now than there was fifty years ago. Yet the negroes have made some progress. In 1900 they owned nearly one million acres of land in Virginia. Illiteracy is being reduced. The leading schools for negroes are giving more attention to industrial training than formerly. They are giving less attention to politics and are striving to become economically independent. The colored ministers of the Gospel are improving both in character and preparation for their work.

BIBLIOGRAPHY:—Avary, Myrta L.: *Dixie after the War;* Boyd, C. R.: *Resources of Southwest Virginia;* Bruce, P. A.: *The Rise of the New South,* and *The Plantation Negro as a Freeman;* Dunning, W. A.: *The Civil War and Reconstruction;* Eckenrode, H. J.: *The Political History of Virginia during the Reconstruction;* Fleming, W. L.: *Documents Relating to Reconstruction;* Herbert, H. H.: *Why the Solid South;* Hotchkiss, Jed: *Summary of Virginia* (1876); McConnell, J. P.: *Negroes and Their Treatment in Virginia* (1865–67); Page, T. N.: *The Old Dominion;* Ruffin, F. G.: *The Negro as a Political Factor;* Stuart, A. H. H.: *The Committee of Nine;* Watson, T. L.: *Mineral Resources of Virginia;* Whitehead, Thomas: *Virginia Handbook* (1893).

JOHN PRESTON MCCONNELL,

Professor of History and Political Science, Emory and Henry College.

THE HISTORY OF MARYLAND

Chapter I.

THE PROVINCE OF MARYLAND, 1608-1776.

Geography of Maryland.

HALFWAY up the Atlantic coast of the United States lies the mouth of the Chesapeake Bay, almost as much a river as bay, and from it, on either side, branch off tidal estuaries, almost as much bays as rivers, which give navigable access to the country to a considerable distance. The coastal plain, through which these rivers take their course, is level and productive of cereals and vegetables, while the waters of bay and river teem with fish, crabs, and oysters. West of this plain lies the rolling country which the geologists call the Piedmont Plateau, because it lies at the foot of the Appalachian Mountains. This Piedmont region is a broken, hilly country, crossed by the Potomac River and by the Patapsco, which runs with rapid current down through the land. West of the Catoctin Mountain we find the Appalachian Mountain Region, filled with mineral wealth, and subdivided into three parts, with fertile valleys between them. The three parts are the Blue Ridge, the Appalachian mountains proper in Alleghany county, and the Alleghany chain in Garrett county. Some of the streams in the last county are a part of the Mississippi Valley system, but by far the greater part of the state lies on the Atlantic side of the watershed.

Prior to the attainment of independence by Maryland, the Appalachian region had only begun to be settled and we shall find our chief interest to lie in the tidewater counties of the Chesapeake. At present the state has an area of 12,210 square miles, of which 9,860 are land, the greater part of this land lying on the western shore of the Chesapeake Bay, upon which portion of the state over five-sixths of its inhabitants live; but originally the area of Maryland was considerably greater than it is at present. When Charles I., king of England and husband of Henrietta Maria, from whom Terra Mariæ, or Maryland, took its name, gave to Cecil Calvert, Second Lord Baltimore in the Peerage of Ireland, a patent, or charter, for this new province of his realm, much more ample bounds were conferred upon the Proprietary of the Palatinate than either he or his successors ever reduced to their possession. The limits of the domain began at Watkins' Point, on the eastern shore of the Chesapeake, and ran thence due east to the Atlantic ocean. North of this line should be Maryland's territory, south of it should remain part of Virginia, from which Maryland was carved. The boundary of Baltimore's province then ran along the Delaware Bay to the fortieth degree of north latitude, and westward along that parallel to the meridian of longitude which passed through the first fountain of the Potomac River. Descending that meridian to the river, the line runs along the farther or south side of the river to a place called Cinquack, near the mouth of the Potomac, whence a straight line to Watkins' Point completed the provincial limits.

Lord Baltimore's Grant.

Into this princely heritage, George Calvert, the first Lord Baltimore, had looked, after he had been discouraged by his unsuccessful effort to found the

LORD BALTIMORE.

colony of Avalon on the bleak and forbidding shores of Newfoundland. He had found the unoccupied shores of the Chesapeake so attractive that he asked the king that they be granted him and, receiving the royal favor, would himself have been the first Lord Proprietary had he not died shortly before the royal charter was ready to pass the seals. Spaniards had probably entered the Bay a century and more before the settlement of Maryland, but the first satisfactory account of its shores and map of the country are those prepared by Captain John Smith, who explored the waters of the Chesapeake in 1608, the year after the settlement of Jamestown. He found here and there a small village of Indians of the Algonquin stock, who hunted in the forests and cultivated maize, tobacco and potatoes on little clearings along the river banks. In their bark houses, good stores of furs were kept, which the Indians willingly bartered for manufactured wares offered by the English. In general, it may be said that the Indians of Maryland received fair treatment from the English, and this was especially so of the Piscataways and the Nanticokes, the chief Algonquin tribes on the two shores of the Bay. The difficulties and wars which occurred were chiefly with the stalwart and fierce Susquehannocks who lived in the northern part of the province, on the banks of the river which bears their name. These Indians were of the Iroquois stock, and, after they were subjugated and incorporated with the Five Nations, they induced the Senecas to come down in raids against the frontier settlements and against the peaceable Patuxents and Piscataways. Gradually the Indian inhabitants of the province disappeared, and but few were left after the migration to the north of the Nanticokes about the year 1750.

After Smith's expeditions, other ones followed, and the fur trade from the north to Virginia became a

well-established enterprise. The Indians also sold their surplus stock of maize to the Virginians. The timber of the land was early found useful for pipe staves and other purposes. Foremost among the traders on the Chesapeake was William Claiborne, Baltimore's life-long enemy, who struggled against the effectiveness of the Maryland charter for over forty years after it was granted. After Claiborne had been in Virginia for eight years or so, engaged in trading with the Indians, he associated himself with a firm of London merchants, and later, in May, 1631, he obtained from the Secretary of State for Scotland a commission, authorizing him and his associates to trade in all parts of New England and Nova Scotia wherein no trading monopoly had been granted. Sailing up the Chesapeake with this commission, Claiborne planted the Isle of Kent on the eastern shore, placing there, on Aug. 17, 1631, a trading factory with about twenty or thirty men. From Chisquack, in the Northern Neck of Virginia, and Kent Island, a delegate sat in the Virginia House of Burgesses, and Claiborne was a member of the Virginia Council. It is not surprising, therefore, that the Virginians opposed the Maryland charter, which gave Baltimore, a Roman Catholic, two-thirds of their fine bay and cut them off from the profitable Indian trade to the north, which they were carrying on.

Navigation was slow and uncertain in the Seventeenth century, when it took from a month to three months for a sailing vessel to cross the Atlantic, and it was some time after Baltimore had received the patent for his province (on June 20, 1632), that news of this event reached America. Not until Nov. 22, 1633, did the Proprietary's first expedition set forth under the command of his young brother, Leonard, to settle the new province. The fact that Maryland

bore from the first the dignified title of province has always been a source of pride to its inhabitants. The charter was modelled on that of Avalon, granted to the first Lord Baltimore some years before, and gave Cecil Calvert a country hitherto uncultivated in the parts of America partly occupied by savages.

Over that country, which he was destined never to behold, he should rule with as extensive privileges as the Bishop of Durham held within the limits of his see, and for the province, which he held in free and common socage, Baltimore paid yearly two Indian arrows. He was given power to make laws "with the advice, assent, and approbation of the freemen, or of their delegates." At the first, he tried to use this power in its highest form, by submitting laws to a mass-meeting of freemen coming together in person, or by proxy, and by rejecting those in the enactment of which the freemen had taken the initiative but gradually the freemen grew too numerous, too widely scattered and too powerful for this arrangement to continue. So, after about the year 1650, a delegated body of freemen and the Governor's Council, as bicameral legislature, took the place of the primary assembly, while even as early as 1638 the Proprietary gave up the claim of the right to initiate legislation. All Englishmen were permitted by the charter to emigrate to Maryland, and after their arrival there, both they and their descendants had the right to enjoy all the privileges of Englishmen.

Religious Toleration.

The Virginians tried to prevent Baltimore from taking possession of the country granted him, and the expense of the early expeditions nearly impoverished the Proprietary, but neither then, nor in later years, when deprived of his province by force, did Cecil Calvert deviate from his persistent effort to

secure for his posterity so valuable a possession. He had to remain in England to the end of his life, so as to ward off one threatened danger after another, and his policy, as shown by his letters, was that of a calm, shrewd, unenthusiastic, fair-minded, far-seeing man. He was a faithful member of the Catholic Church, which his father had joined, and he wished to provide an asylum for his coreligionists in his Palatinate, but he was so wise that he foresaw that a grant of any especial privileges to Catholics, or any establishment of that church in the province, would lead to a speedy forfeiture of the patent. He clearly wished the establishment of no other church. So from the first embarking in the enterprise of the settlement of Maryland, he gave the world the example of a ruler who separated church from state, and directed his colonists to show toleration to all Christians, allowing freedom of worship in any Christian form. That these colonists might have religious counsel and leadership, he sent two Jesuit priests with the first expedition, to one of whom, Father Andrew White, a man of marked devotion to his work, we owe our knowledge of the voyage of these first adventurers. The Jesuit order continued in Maryland during the whole of the provincial period as the chief religious agency of the Catholic Church, and their conscientious zeal and fidelity make the Maryland mission's history one of the finest in the records of the order. Their chief service was in rearing a number of native Jesuit priests, who were largely responsible for the American character of their church in the United States.

Leonard Calvert, the first Lieutenant-General and Governor of Maryland, was only twenty-eight years old when he set sail for the province. He was a sincere, straightforward man, of some ability; but with the fatal failing of his family of being unable to read

men and to choose the proper agents to carry out his purposes. With him, as commissioners, came Jerome Hawley, who soon left Maryland for Virginia, and Thomas Cornwallis, who was to be the military leader of the new colony, while among a number of gentlemen in the expedition was George Calvert, another younger brother of Baltimore, who, like many others, was unable to stand the seasoning process of acclimatization and soon died. Most of the gentlemen were Roman Catholics; but many of the yeomen and servants were Protestants, and it is probable that from the beginning the majority of the settlers in Maryland paid no religious allegiance to the Pope.

Settlement of Maryland.

The expedition sailed in two vessels, the *Ark* and the *Dove,* names of good omen to those who were to settle a new world, and took the usual southern course through the West Indies, which made the voyage so long that they did not arrive in Virginia until Feb. 24, 1633. There the governor was friendly, but the settlers were so hostile that they soon afterwards revolted, seized him and sent him to England, largely because of his friendliness to Calvert. The tiresome voyage was over and the settlers saw the "most delightful water between two sweet lands." From the enthusiastic reports sent him, Baltimore caused to be prepared in England in 1634 and 1635, two pamphlets, in the nature of prospectuses to invite settlers, which *Relations* are the earliest printed accounts of the province.

Leonard Calvert remembered his brother's wise injunction to have as little as possible to do with the Virginians during the first year, and soon sailed up the bay and entered the Potomac River. Landing on St. Clement's, now called Blackiston's Island, on "Our Blessed Lady's Day in Lent," March 25, 1634,

the new year's day of the calendar then used, he "took solemn possession of the country for our Saviour and for our sovereign Lord, the King of England." Calvert then pacified the fears of the aborigines and bought from them, through the advice of Captain Fleet, an old Indian trader, the Indian town of Yaocomico, which was renamed St. Mary's. A Dutch settlement on the Delaware had been destroyed by Indians, and Claiborne's factory on Kent Island seems to have been the only other one within the province at this time. Calvert had instructions to use Claiborne courteously and permit him to proceed in his plantation, if he would acknowledge that he owed fidelity to Baltimore; but this acknowledgment was sturdily refused, while Claiborne's difficulties increased through differences with his London partners. Thus petty warfare existed between the settlers of Kent Island and those of St. Mary's for three years, and led to a sort of naval battle on the Pocomoke in 1635. Finally, Claiborne went to England in 1637, leaving the island in charge of Capt. George Evelin. The latter was friendly to Baltimore and, unsuccessfully, endeavored to induce the settlers on the island to accept Baltimore as their ruler. Finally, in February, 1638, Governor Calvert led an expedition in person against Kent Island and overcame the opposition there without much difficulty.

Government of the Province.

After the settlers had been in Maryland nearly a year, Calvert called an assembly of the people, which met in February, 1635, but its proceedings are lost and its acts were vetoed by the Proprietary, so that the second assembly, in January, 1638, is the first one of which we have definite information. None of the bills introduced therein were placed upon the

statute book, except one for the attainder of Claiborne, who shortly thereafter failed in England, in an attempt to secure restitution of Kent Island. The Assembly also acted as a court of law and tried and condemned to death for piracy Thomas Smith, one of Claiborne's followers. Towards the close of 1638, Leonard Calvert received a letter from his brother, yielding his claim to the legislative initiative and authorizing the governor to assent to such laws as he "shall think fit and necessary and as shall be approved by the major part of the freemen, or their deputies." As a result, a representative assembly of one house was held in February, 1639, which adopted a comprehensive temporary act to "endure to the end of the next General Assembly, or for three years, if there be no Assembly within that time." This policy of temporary statute making was followed throughout the whole provincial period and, although it involved much expenditure of time and caused a bulky statute book, it ensured fairly frequent sessions of the Assembly and, in such matters as the payment of officers whose remuneration was in the shape of fees, it also ensured a readjustment of the rates from time to time.

By New Year's Day, Old Style, 1639, the province had been governed for five years by Leonard Calvert. He had settled St. Mary's and had seen the settlers spreading out into various hundreds, while some men had established manors under grants from the Lord Proprietary. Indentured white servants were cultivating most of the land which the Proprietary's Conditions of Plantations had granted to the settlers on payment of an annual quit rent, but negro slaves had been introduced, and the colonists, ceasing to be dependent upon the Indians for maize, which was beginning to be raised in considerable quantity by the English, were also ceasing to be dependent upon

the fur trade, and were taking up the cultivation of tobacco, which became the great staple product of the province and the medium of exchange in all transactions between man and man. The tobacco period lasted until Maryland became a state, but the cereal products, wheat and corn, were gradually thrusting tobacco from its predominance during the last years of provincial history. Calvert had also subdued Kent Island and established amicable relations with the Indians and the Virginians, and Claiborne's pretensions to any part of the province had been disallowed. Though the beginnings of Maryland were complete, the troubles of the Proprietary's officers were far from ended, and a period is now approached in which there were troubles with the Jesuits, who vainly claimed from Baltimore that same liberty of being governed by canon law only, usual in other countries with Roman Catholic lords, and to be freed from taxes, which claims led Baltimore to send out secular priests for a time and to stand firmly for the supremacy of the civil power in the state.

Leonard Calvert went to England in 1642, leaving Giles Brent in his room, and came back two years later with a royal commission empowering him to seize ships of the London merchants who adhered to the Parliamentary side in the English Civil War. Although he seems not to have used the commission, it gave the opposition an excuse for action, and turbulent times were felt in Maryland. Claiborne came back and tried to recover Kent Island. Richard Ingle, a pronounced parliamentarian, who had previously visited the province several times, and had been accused of making treasonable speeches, came to Virginia with his ship in February, 1645, seized a Dutch merchantman in the Chesapeake, and with the two vessels terrorized the pro-

vince so that Calvert fled to Virginia. During this "plundering year" Ingle ranged about the province, ungratefully robbed Cornwallis, seized the property of the Jesuits and carried them to England when he returned thither. Calvert was not restored in the control of the province until the autumn of 1646, and Kent Island did not return to its allegiance to the Proprietary until April, 1647. Shortly afterwards, on June 9, 1647, Governor Calvert died, making Mrs. Margaret Brent, a woman of strong mind, his executrix, with the injunction, "take all and pay all." He named Thomas Greene as governor, but the Proprietary a year later substituted William Stone, a Protestant, who brought into Maryland, as immigrants, a considerable number of Puritans from Virginia, in which province they had failed to find religious freedom. With the commission for Stone, the Proprietary sent a brief code of sixteen laws, which he desired the General Assembly to enact for the province. There was opposition to some of these laws, but the most famous of them, the "Act concerning religion," was amended and then passed in April, 1649. In later years, Charles, third Lord Baltimore, stated the purpose and content of this famous statute to be that the province might "have a general toleration settled there by a law, by which all of all sorts, who professed Christianity in general, might be at liberty to worship God in such manner as was most agreeable to their respective judgments and consciences, without being subject to any penalties whatsoever for their doing so, provided the civil peace were preserved. And, that for the securing the civil peace and preventing all heats and feuds, which were, generally, observed to happen amongst such as differ in opinions, upon occasion of reproachful nicknames and reflecting upon each other's opinions, it might, by the same law, be made

penal to give any offense in that kind." The practice of the province was even more liberal than the statute, for Jews dwelt there without serious molestation. The Puritans made their settlement about the banks of the Severn River near where Annapolis now stands, and their coming caused the erection of a third county for them, under the name of Anne Arundel, the wife of the Proprietary. In the same year the coming of the Brooke family led to the establishment of a fourth county on the Patuxent, which, with a change of name and of boundaries, became Calvert county in 1654.

Maryland, 1654-1676.

After the establishment of the Commonwealth in England, five Parliamentary Commissioners were appointed to reduce Virginia from her allegiance to the crown, and their commission, by craft or accident, was extended to "all the plantations within Chesapeake Bay." Two of these commissioners were Claiborne and Bennett, the head of the Puritan party in Virginia; the other three were Englishmen. Only one of the latter, however, arrived in America, and he, with the two Virginians, came to Maryland and seized the government in 1652. So great had been Baltimore's hatred for Claiborne that he had exempted him and Ingle from the general pardoning power conferred on Stone in his gubernatorial commission. It is not surprising, therefore, that the commissioners insisted, in a highhanded and illegal manner, that writs should henceforth run in the name of the keepers of the liberty of England, although the charter provided that writs should run in the name of the Lord Proprietary. Stone refused to obey these orders and was removed from office, but yielded three months later and was restored. For two years this *modus vivendi* continued. Then

Stone again ordered the writs to run in the Proprietary's name, and the Puritans of Providence, as they called their settlement on the Severn, rose in revolt and compelled Stone to resign. Rebuked by Baltimore for yielding so easily, Stone gathered a force of men and a battle between the two parties took place in March, 1655, in which the Proprietary's party was routed and Stone taken prisoner. From July, 1654, to 1657, the provincial government was carried on by a body of commissioners, appointed by Bennett and Claiborne, acting under that commission to which reference has been made. These commissioners served as executive, council, provincial court and Upper House of Assembly. In 1656, the English authorities confirmed Baltimore's rights to his province, and after some delay and negotiation with the Puritan leaders, his authority was restored on March 23, 1657, with a general amnesty and a confirmation of the toleration act which the Puritans had repealed. So complete was the pacification that some of the Puritan commissioners sat in the General Assembly of 1659. The restored Proprietary government was under the direction of Capt. Josias Fendall, an energetic man, who proceeded to organize the militia and thus came into conflict with the Quakers, who were becoming an important element in the province, and whose religious principles would not allow them to bear arms. Under the preaching of George Fox and other itinerant evangelists, aided by permanent ministers of the Society of Friends, a number of their meetings were established in Maryland, and their influence has always been a noteworthy one. Fendall had been governor for two years only when he proved himself unfaithful to the Proprietary, and, surrendering his commission as governor, accepted a new one from the Assembly, which claimed the right to make laws

without Baltimore's consent. When news of these measures reached England, Baltimore dismissed Fendall and appointed his half brother, Philip Calvert, as governor, sending with him an amnesty. As soon as Calvert arrived in Maryland, the plot of Fendall collapsed, and fines, with perpetual disfranchisement for a few men, were the only penalties which the lenient governor inflicted. In 1661, the Proprietor substituted his only son, Charles Calvert, who should succeed him as Lord Baltimore, in place of his brother, Philip, who was solaced with the Chancellorship of Maryland. Shortly thereafter, Leonard Calvert's son, William, was made provincial secretary, and a period of family government began which lasted for nearly thirty years, as there were frequently other relatives of Baltimore in the council.

Meanwhile the Swedes had founded a colony on the Delaware in 1638, and the Dutch had reduced this New Sweden to New Netherland in 1655. Maryland's representative had been sent to notify the Dutch that they were within her limits, and must either acknowledge her jurisdiction or leave the province. Stuyvesant sent two envoys on this matter to St. Mary's, so that his side of the controversy might be strongly presented. One of these was Augustine Herman, who was so attracted by the province that he removed into it and took up a manor in its northeastern part, which he called Bohemia from his native land, and for which he paid by executing the first well surveyed map of Maryland. Other Dutch and Swedish settlers came across into the lands of the Chesapeake and trade sprang up between the two bays. This trade with the Dutch was lucrative and was illicit under the English navigation laws. Its profitable character seems to have been partly the cause why the provincial authorities hesi-

tated to take decided action to reduce the Dutch until it was too late, and the Delaware settlements had fallen before the English fleet in 1664. Seizing them by right of conquest, the King granted them to his brother, the Duke of York, as part of his province of New York, and for nearly twenty years there was considerable friction between the two provinces through Calvert's sending his officers, from time to time, to summon the Delawareans to admit his overlordship and through his granting lands in that region. Cecil Calvert died in 1675. During the latter years of his life matters were relatively quiet in Maryland, although we read of Indian difficulties and of occasional differences between governor and Assembly. The boundary between Maryland and Virginia on the eastern shore was run, with some loss to our province through imperfect surveying. The tobacco trade flourished and settlements spread along the shores of the Bay so that Baltimore and Cecil counties were erected near the head of the Chesapeake, and Talbot, Somerset and Dorchester counties on the eastern shore.

The Proprietary rule of Charles Lord Baltimore was fully as disturbed as his father's had been. The Indian troubles caused a joint expedition by Maryland and Virginia forces against the Susquehannocks in 1675. Before the Indian fort, in shameful violation of a safe conduct, the Maryland commander weakly yielded to the Virginians' clamor and five of the chiefs were wickedly put to death. He was impeached by the Maryland Assembly, but escaped punishment through disagreement of the Houses. After a month's siege, the Indians fled from the fort. Some of them went southward and began that course of rapine in Virginia which led to Bacon's rebellion; while others, fleeing northward, joined themselves to the tribes of their Iroquois kindred and brought

Senecas and Onondagas repeatedly into Maryland in hostile incursions against the white settlers and the friendly tribes, toward whom their hatred was even greater.

The rebellion of 1676 in Virginia had a lesser counterpart in Maryland, which was easily quelled; but, four years later, a more serious disturbance arose, headed by Fendall and one John Coode, a renegade Anglican clergyman. This led to the banishment of Fendall, but the discontent, though repressed at the time, was destined to grow, and the "Popish plot" in England, with the fear which the people there had for the overthrow of their religion, found reflection in Maryland in the suspicion felt by many towards a Roman Catholic Proprietary.

Relations With Penn.

A worse danger yet for the province arose in 1681, when William Penn, the true evil genius of Maryland, obtained a patent from the King for a large tract of land, bounded on the south by a "circle drawn at twelve miles distance from New Castle, northward and westward to the beginning of the fortieth degree of north latitude, and thence by a straight line westward." To this grant he added a further one, from the Duke of York, of Newcastle with a territory of twelve miles around it, and the lands bounding on the Delaware southward to Cape Henlopen. Penn began, at once, to colonize his province and territories, which, respectively, took the names of Pennsylvania and Delaware, and endeavored to gain over the frontier inhabitants of Maryland. His great object was to obtain access to the waters of the upper Chesapeake. Baltimore struggled on the other hand to preserve his province intact, and so wished, at once, to fix the fortieth parallel. The two Proprietors met several times, but

Penn would not make direct observations of latitude, although he suggested that measurements be made from the Capes of the Chesapeake, by which means he thought Baltimore would gain from Virginia as much as he would lose to the north.

While Penn delayed a decision of the fortieth parallel and placed his city of Philadelphia just south of it, to obtain the advantage of possession and to manifest his brotherly love for the rightful owner of the land by wresting his territory from him, he pressed hard for a determination of his claim to Delaware. The death of Charles II. aided him in this, since it placed Penn's patron on the throne as James II., and it is not surprising that the Privy Council, on Nov. 7, 1685, reported that the peninsula should be divided between the claimants by a meridian line running north from the latitude of Cape Henlopen. This decision was based on a mistaken and highly technical application of the clause in the Maryland charter, by which Baltimore was granted territory "hitherto uncultivated." These words were, in any case, words of description and not of limitation. At the time the charter was granted, the only Europeans within the province were such fur traders as Claiborne, whose claims had been disallowed. The alleged Dutch settlers had been regarded as "lawless interlopers, and, as such, they were forcibly reduced by the English," yet, "when it was a question of robbing Baltimore to gratify a royal favorite, they, the Dutch, were settlers and their occupation valid."

Internal Disturbances.

James II. went further and talked of having the charter of Maryland forfeited and the Proprietary's position was weakened by the unfortunate killing of an obnoxious revenue officer by a hot-headed Irish

relative of Baltimore, who was a member of the Council. Before Baltimore had gone to England in 1684 to look after his affairs, leaving the Council in charge. Four years later he sent out a conceited, wordy, unpractical lawyer, who had high notions of prerogative and was a strong partisan of King James. There were Indian troubles and rumors of strange alliances between the Roman Catholics in Maryland and in Canada. The messenger sent by Baltimore to order the proclamation of William and Mary died, and the Council refused to proclaim the new sovereign without orders from the Proprietary. In July, 1689, Nehemiah Blakiston, collector of royal customs and an old enemy of Baltimore, with Coode, and other Protestants rose in revolt. Not all of the Protestant settlers were with them, but the agitators were in such earnest and Baltimore's supporters were so lukewarm that, within a month, the Protestant Association was supreme and the Proprietary government was overthrown. The new rulers asked the crown to administer Maryland as a royal province, and, their request being granted, the first royal governor came over in 1692. The charter was not forfeited, however, nor was the title to the land or his other private rights taken from Baltimore.

Annapolis and the Church Establishment.

The royal governors brought a greater regularity and formality into the proceedings of the government. We find the development of a highly trained and able body of lawyers, who gave the Maryland bar its first renown. Under Francis Nicholson, the capital was transferred from St. Mary's City to a site further north on the Severn River, where the new town of Annapolis was founded and named in honor of the Queen, who, with her husband, is also commemorated in the counties of Queen Anne's and

Prince George's, the latter the first inland county on the western shore. Nicholson's administration is also remarkable for the establishment of the Church of England and the levy for its support of tobacco from every taxable person, which condition continued until Maryland ceased to be a province. About the same time the beginning of the educational system was made by the establishment of King William's School at Annapolis in 1696. The Bishop of London had control of ecclesiastical matters in the colonies, and he appointed, as his commissary in Maryland, the Rev. Dr. Thomas Bray, the founder of the Society for the Promotion of Christian Knowledge and the Society for the Propagation of the Gospel. Dr. Bray came to Maryland in 1700 for a few months only, but his influence upon the province was important. Feeling that good men must be procured for the Anglican Church's ministry in Maryland, and finding that such men were deterred from coming hither because of a lack of books, he conceived the idea of a system of parochial libraries for the use of the clergy. When he attempted to establish these, he felt that more was needed and that there should be a Provincial Lending Library at the capital for the use of the clergy and gentry. The project was accomplished and the first library system in America was established, while the Annapolitan library of nearly 1,100 volumes was the first free public circulating library in the country, and was a remarkably complete one for the time. The early part of the Eighteenth century saw the establishment of Presbyterianism in the province through the efforts of Francis Makemie in the lower part of the eastern shore.

Annapolis was the first town of any importance in the province, and after it was founded, St. Mary's City disappeared. The possibility of reaching

nearly every planter's wharf by the shipping, which carried away his tobacco or wheat, rendered towns less necessary, so that the frequent attempts to establish them were nearly always fruitless during the provincial period, and Annapolis itself, although boasting of a remarkably cultured and attractive society, and possessing some fine town houses of the wealthy planters, had but little trade. The indentured white servants had been the main labor supply in the Seventeenth century; in the Eighteenth century we find the negro slaves appearing in large numbers, especially after the Treaty of Utrecht placed an important part of the African slave trade in English hands.

The Proprietors from 1715 to 1776.

The repressive laws of the province under royal government refused liberty to the Roman Catholics. The death of Charles, Lord Baltimore, in 1715, caused the proprietaryship to descend upon his son, Benedict Leonard Calvert. He had become a Protestant, so there was no longer left the pretext that it would be unsafe to permit the government to be carried on under Roman Catholic influences, and it was restored to the Calverts. Benedict Leonard Calvert died two months after his father and was succeeded by his son, Charles, the Fifth Lord Baltimore, who was still a minor. The new Lord was a skillful yachtsman, a dissolute, unlovely man. He was a friend and admirer of Frederick, the Prince of Wales, after whom he named his only son Frederick, the last and worst of the Calverts, who was Proprietary from 1751 to 1771. Frederick, Lord Baltimore, was a rake, who never visited his province, though he was fond of traveling through Europe, and who left the province to Henry Harford, his illegitimate son. The title of Lord Baltimore died with Frederick, that of Lord

Proprietary was wrested from Harford by the American Revolution. After that war Harford, who had just attained manhood, visited the state for the first time, in the vain endeavor to obtain some reimbursement for his losses of revenues and of land, all of which had been confiscated to the state.

While the province was under royal rule, the Proprietary had an agent in Maryland to attend to his private affairs and watch that the governor and Assembly did not encroach upon his lands and revenues. To fill that post he sent over from Europe Charles Carroll, an Irish Roman Catholic, the founder of an important family. On the other hand, the Assembly was represented in England by its agent appointed to watch after provincial interests there. At the time of the Proprietary's restoration, the governor of Maryland was Capt. John Hart, a man of infirm health, a hot-blooded, capable, Protestant Irishman, who was continued in office by the guardian of the young Proprietary. Theoretically, the second Charles Lord Baltimore had the same rights as the first; practically, the twenty-five years of royal rule had made a vast difference. An unknown youth was at the head of affairs, and, henceforth, the Proprietary seems to have been regarded as an absentee landlord. The people seemed to have cared but little for the change and the Proprietaries made little use of their power, except as a means of appointing relatives and friends to office. Hart's administration saw the preparation of a comprehensive code by a committee of the Assembly, whose chairman was Andrew Hamilton. Shortly afterwards Hamilton removed to Philadelphia, and was the first American lawyer to gain continental reputation. From Philadelphia he went to New York to defend John Peter Zenger, whom he had known long before, when both were neighbors in Chestertown on

the eastern shore. The Protestants knew that the Calverts were of their faith, and soon found no ground for apprehension that they might lean too much towards the adherents of their ancestors' religion. The Catholics hoped, at first, that they might regain a part, at least, of their old influence and position, but were soon rudely disillusioned and were even disfranchised as a result of a violent contention between Carroll and Hart, who was backed by the Assembly. Some little suspicion of Jacobitism made the Catholics still more unpopular, and the repressive laws against them were continued throughout the provincial period.

Charles Calvert, a relative of the Proprietary, became governor in 1720, and his seven years of administration saw two noteworthy events. In 1723 the General Assembly passed a law for the establishment of a free school in each county. This system of academies was the only provision made for education by the province during the provincial period, but the benevolence of the friends of Rev. Thomas Bacon enabled him to establish a "charity working school" in Talbot county in 1750, in which manual training and the education of negroes were noteworthy features. Private schools and private tutors also gave education to the gentry, whose sons were frequently sent to Europe for the completion of their training.

The second notable occurrence of Charles Calvert's administration was a controversy, which lasted for several years, between the legislature and the Proprietary, as to whether the English laws extended to Maryland. The provincials won in the struggle, and their bold resolutions were long remembered: "that this province hath always hitherto had the common law and such general statutes of England, as are not restrained by words of local limitation, and such

acts of Assembly as were made in the province to suit its particular constitution, as the rule and standard of its government and judicature." Those who maintain the contrary "intend to infringe our English liberties and to frustrate the intent of the crown in the original grant of this province."

Benedict Leonard Calvert, younger brother of Lord Baltimore, came out to Maryland as governor in 1727, and died of consumption on his way home in 1731. He is a pathetic figure, for the promise of his high-minded, lovable, scholarly nature had not time for fulfilment. He had studied in Oxford and traveled in Italy, and, in his time, Ebenezer Cook, who styled himself "laureate of Maryland," published in Annapolis the first poem printed in Maryland, the second part of that satire on Maryland manners, of which the first part, called the *Sot weed Factor,* had appeared in England twenty years before. The first printing press in Maryland had been set up about 1690, the first extant imprint dates from 1700, but the first newspaper was published at Annapolis in 1728, in which year, also, Governor Calvert received the dedication of a little book prepared by R. Lewis, a master of King William's School, who had edited *Holdsworth's Muscipula,* and made a metrical translation of it.

Calvert's administration was also the period when the two events occurred which caused Maryland to cease to be entirely a Southern colony, and to begin that career which made her a border state. In 1729 Baltimore Town was laid out on the Patapsco and, about this time, the first German settlers came from Pennsylvania into the fertile valleys of Western Maryland. Thus the province founded its great commercial city and gained a band of sturdy, God-fearing, hard-working men, whose ties were with the Pennsylvanians rather than with the Virginians.

The opening of the back country gave Maryland an opportunity to seek western trade, and started that struggle between Baltimore and Philadelphia to obtain that trade, which led Braddock, influenced by the settlers in Maryland and Virginia, to make his road through Maryland, and Forbes, influenced by the settlers in Pennsylvania, in his more successful expedition against Fort Du Quesne, to make his road through the latter colony. The Germans in Maryland were not slaveholders, had few servants, and cultivated little tobacco, but devoted their chief attention to cereals. They also began small manufactures and thus diversified the industry of the palatinate.

In 1732 Charles, Lord Baltimore, came to the province in an attempt to settle the boundary dispute on the north with Penn's sons, who were joint proprietors there. By some unexplained means, in this year Baltimore had yielded to them all that they had demanded, and presented them several millions of acres of land to which they had no right. Although the Pennsylvanians had settled Philadelphia and Chester south of the fortieth parallel, they had no settlements as far west as the Susquehanna, beyond which river Marylanders were already building cabins near the north boundary. But Baltimore agreed to run a line fifteen miles south of Philadelphia, due west, so far as the provinces were coterminous. When he found his mistake, he applied to the English courts and refused to run the boundary, about which a petty warfare was carried on by the settlers. The case dragged on until 1760, when it was finally settled by an acceptance of the line of 1732, and three years later Charles Mason and Jeremiah Dixon, two excellent English surveyors, were sent out and spent four years in marking the boundary between the Penn's possessions and those of Baltimore.

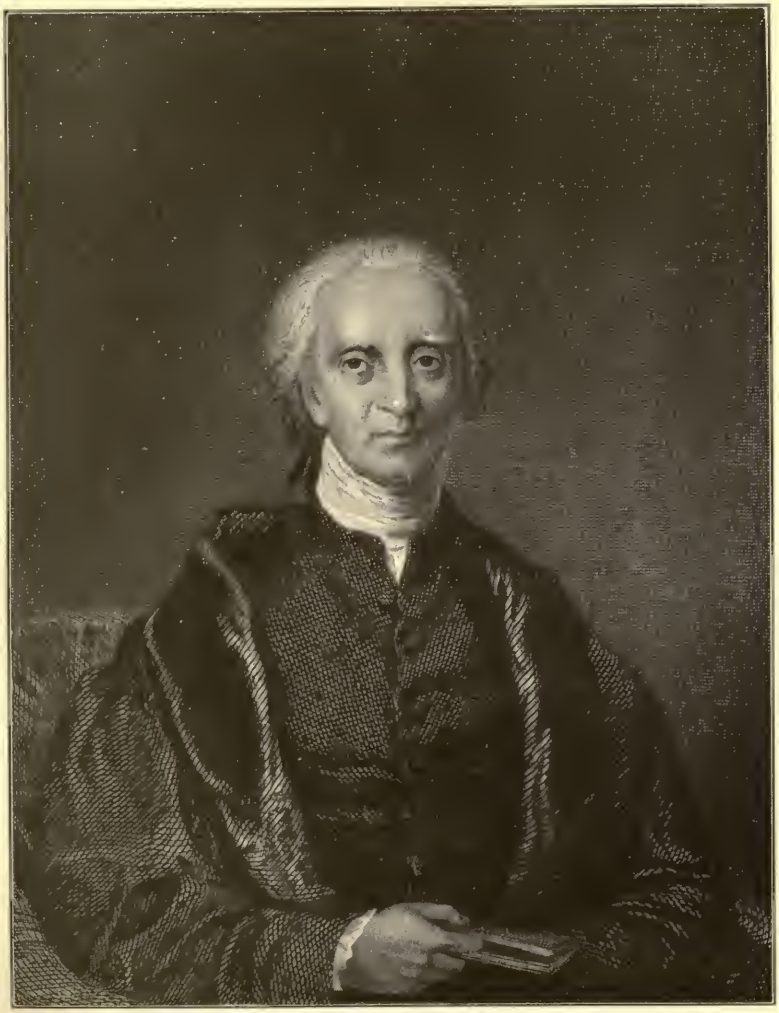
Maryland, 1765 to 1776.

During the years of the Eighteenth century, the province grew in population and in culture. Worcester county on the eastern shore was established in 1742, and Frederick on the western in 1748. Dr. Richard Brooke, physician and politician, sent the results of his scientific observations to the English magazines, and the *Annapolis Gazette,* established in 1752, published graceful and correct poems written by the colonial gentlemen. Horatio Sharpe came over as governor in 1753, and continued in that office until relieved in 1768 by the Proprietary's brother-in-law, Capt. Robert Eden, the last provincial governor. A wise and popular man, Sharpe had a difficult position during the French and Indian War, in which Maryland played no very creditable part, owing to a niggardly Proprietary and a narrow-minded, unpatriotic General Assembly.

Like the other colonies, Maryland repudiated the Stamp Act, and forced the stamp distributor to flee the province and to resign his office. The General Assembly passed bold resolves, standing for a refusal of taxation without representation and claiming that the provincial legislature had the "sole right to lay taxes or impositions on the inhabitants of this province, or their property and effects." The day came on which the act was to go into operation, and there were no stamps in the province. How should business be transacted if unstamped paper was illegal? The Frederick county court took the sensible course and declared that its business should be carried on without stamps, and the other courts of the province followed.

Maryland was represented in the Continental Stamp Act Congress, and took part in the non-importation agreement and in the correspondence with the other colonies, so as to present a united front

against British action. Yet she was conservative, and, in Sharpe and Eden, she had two governors of rare popularity. Eden had not only the British revenue acts to cause him difficulty, but also two local troubles. A strong party in the province declared that the act, which provided for the support of the clergy, had not been properly passed and was void, while the struggle over officers' fees was one which involved great excitement. Most officers were paid by fees, and the acts fixing these fees had been made temporary, so that the amounts might be readjusted at each passage. The chief offices were held by the Councillors, who naturally wished large fees, and when the act expired in 1770, dissensions between the two houses of the Assembly had caused all attempts to pass a new law to fail. What should be done? Eden issued a proclamation forbidding any officer to take a greater fee than allowed by the old law. This, of course, virtually authorized him to take fees at the old rate, and so fixed the fees. Had the governor a right to do this? A fierce controversy in the newspaper followed between Daniel Dulany, who defended the governor, and Charles Carroll, of Carrollton, who attacked him. While the majority of the people undoubtedly sided with Carroll, the governor held the whip hand, and fees were collected at the old rate till independence came. In Eden's administration, two new counties, Caroline and Harford, were established. In 1774, Eden went to England for a few months and, while he was away, in June, there met at Annapolis "a general congress of deputies from all the counties" to consider measures of opposition to England. This body was the first of a series of conventions which chose delegates to Continental Congress and Committees of Safety, to act as executives during the periods between conventions; which sent troops to fight the British at the



CHARLES CARROLL.

north and directed the choice of Committees of Observation in the counties to care for local matters; and which by the Association, a document offered in 1775 for subscription to the freemen of the province, approved of the measures adopted by the Continental Congress in opposition to Great Britain, and united the people "in maintenance of good order and the public peace." Though Eden's influence could not prevent acts of lawlessness from time to time, his tact and good-fellowship with the provincial leaders and the conservatism which showed itself generally in the province kept the "ostensible form of government" intact until the middle of 1776, and led the Provincial Convention, on May 17th, to deny that it was necessary to suppress the royal government and, on May 21st, to express the hope for a "reunion with Great Britain on constitutional principles." Eden saw, however, that "they will not long be able to stem the torrent which, in several provinces, runs strongly toward independence," and declined to accept the convention's proposition that he remain as governor, and promise to take "no active hostile part, nor to correspond with the British government." Accordingly, he embarked on a British man-of-war on June 23d and sailed for England, where, in August, for his skillful administration of the affairs of the province, he was created Baronet of Maryland, an honor still worn by his descendant.

Matthew Tilghman, William Paca and the two Carrolls were urging independence, Baltimore Town and Frederick county were wild for it, Samuel Chase, like a flame of fire, had preached it throughout Maryland, and on June 21st, the convention voted to allow its deputies in the Continental Congress to unite with those of the other colonies in declaring independence and forming a confederation. On July 3d the

convention adopted her own declaration of independence, and thereafter began the task of preparing a permanent constitution for the new state, which showed herself behind no other one of the thirteen in her zeal and fidelity to the common cause. The history of the province is the history of those beginnings which caused the state's later career to be a successful one, and which explain the direction which the later history has taken.

Bibliography—Allen, Ethan: *The Garrison Church* (1898); Alsop, George: *Character of the Province of Maryland* (Md. His. S. F. Pubs.); Baldwin, Jane: *Maryland Calendar of Wills* (1901–07); Bowen, L. P.: *Days of Makemie* (1885); Bowie, W. W.: *Bowies and their Kindred* (1899); Brantly, W. T.: *The English in Maryland* (In Winsor's Narrative and Critical History of America, Vol. 4); Brackett, J. R.: *The Negro in Maryland* (Johns Hopkins Univ. Studies); Black, J. Wm.: *Maryland's Attitude in the Struggle for Canada* (Johns Hopkins Univ. Studies, 10th Series); Bozman, John L.: *History of Maryland to* 1658 (2 v. 1837); Browne, Wm. Hand: *Maryland, the History of a Palatinate* (Am. Commonwealths) 1884; *George and Cecilius Calvert* (Makers of America) 1890; Ed. *Calvert Papers* Nos. 1 and 2 (Md. His. S. F. Pubs.); Ed. *Maryland Archives* (Md. His. Soc.); Ed. *Maryland Historical Magazine*, 1906–1908; Dennis, Alfred P.: *Lord Baltimore's Struggle with the Jesuits* (1900); Davis, G. L. L.: *The Day Star of American Freedom* (1855); Doyle, J. A.: *The English in America, Virginia, Maryland and the Carolinas* (1882); Griffith, T. W.: *Early History of Maryland* (1821); *Annals of Baltimore* (1824); Gambrall, T. C.: *Studies in the Colonial History of Maryland* (1893); *Church Life in Colonial Maryland* (1885); Hall, C. C.: *Great Seal of Maryland* (Md. His. S. F. Pubs.); Ed. *Calvert Papers* No. 3, Hanson, Geo. A.: *Old Kent* (1876); Hawks, F. L.: *Rise and Progress of the Protestant Episcopal Church in Maryland* (1839); Hughes, Rev. Thomas: *History of the Society of Jesus in North America*, attacks Lord Baltimore and supports the Jesuits (vol. 1 text and vol. 1 documents 1907); Ingle, Edward: *Parish Institutions of Maryland* (Johns Hopkins Univ. Studies, 1st Series); *Capt. Richard Ingle* (Md. His. S. F. Pubs.); James, B. B.: *The Labadist Colony;* Johnson, B. T.: *Foundation of Maryland* (Md. His. S. F. Pubs.); Johnson, J. H.: *Old Maryland Manors* (Johns Hop. His. Studies, 1st series); Johnston, George: *History of Cecil County* (1881); Kilty, John: *Landholder's Assistant* (1808); Latané, J. H.: *Early Relations of Maryland and Virginia* (Johns Hop. His. Studies, 13th series); Lowdermilk, W. H.: *History of Cumberland* (1878); Morris, Rev. J. G.: *Lords Baltimore* (Md. His. S. F. Pubs.); McCormac, E. I.: *White Servitude in Maryland* (Johns Hop. His. Studies, 22d series); McMahon, J. V. L.: *History of Maryland* (Chiefly Constitutional to 1776) (1831); McSherry, James: *History of Maryland to* 1848–49 (continued by B. B. James to 1900); Mallery, C. P.: *Ancient Families of Bohemia Manor* (1858); Mereness, N. D.: *Maryland as a Pro-*

prietary Province (1901); Mayer, B.: *Logan and Cresap;* Neill, E. D.: *Founders of Maryland* (1876); *Terra Mariae* (1887); Petrie, George: *Church and State in Maryland* (Johns Hop. His. Studies, 10th series); Russell, Rev. W. W.: *Land of the Sanctuary* (Gives Roman Catholic view); Riley, E. S.: *Legislative History of Maryland* (1906); *The Ancient City* (Annapolis) (1889); Ed. *Celebration of the 200th Anniversary of Removal of the Capital of Maryland* (1894); Ridgeley, D.: *Annals of Annapolis* (1841); Streeter, S. F.: *First Commander of Kent Island* (Md. Hist. S. F. Pubs.); *Papers Relating to the Early History of Maryland* (Md. His. S. F. Pubs.); Stockbridge, H., Sr.: *Archives of Maryland* (Md. His. S. F. Pubs.); Steiner, Bernard C.: *Maryland during the English Civil Wars*, Pts. 1 and 2 (Johns Hopkins Univ. Studies); *Western Maryland in the Revolution* (1902); *Restoration of the Proprietary* (1899); *Maryland's First Courts* (1901); *The First Lord Baltimore* (1905); *Protestant Revolution of* 1689 *in Maryland* (Am. His. Asso. Reports, 1897); *History of Education in Maryland; Beginnings of Maryland and Descriptions of Maryland* (Johns Hopkins Univ. Studies, 21st and 22d Series); Ed. *Early Maryland Poetry* (Md. His. S. F. Pubs.); Ed. *Life and Works of Rev. Thomas Bray; Citizenship and Suffrage in Maryland* (1895); *Life of Robert Eden* (Johns Hopkins Univ. Studies); Sparks, F. E.: *Causes of the Maryland Revolution;* Schultz, E. S.: *First Settlement of the Germans in Maryland* (1894); Scharf, J. T.: *History of Maryland to* 1880 (3 Vols. 1879); *Chronicles of Baltimore* (1874); *History of Western Maryland* (1882); *Baltimore City and County* (1881); Sioussat, St. G. L.: *Economics and Politics in Maryland* (Johns Hopkins His. Studies, 21st series); Silver, J. A.: *Provisional Government of Maryland* (Johns Hopkins Univ. Studies, 13th series); Thomas, J. T.: *Chronicles of Colonial Maryland* (1900) (especially good for St. Mary's County); White, Rev. A.: *Narrative of the Voyage to Maryland* (Md. His. S. F. Pubs.); Wilhelm, L. W.: *Sir George Calvert* (Md. His. S. F. Pubs.); *Maryland Local Institutions* (Johns Hop. His. Studies, 2d series). *Proceedings of the General Assembly* 1637–1710 (9 vols.); *Proceedings of the Council* 1636–1752 (9 Vols.); *Judicial and Testamentary Business of the Provincial Court* 1637–1657 (2 Vols.); *Correspondence of Gov. Sharpe*, 1753–71 (3 Vols.); *Journal and Correspondence of the Council of Safety*, 1735–1776 (2 Vols.); The *Reports* of the Maryland State Weather Service and of the Geological Survey (especially those articles by Edward B. Mathews on the Cartography of the State in Vol. I, and on the County boundaries in Vol. 6, and by St. G. L. Sioussat on the Highways in Vol. 2 and the various county volumes.

BERNARD C. STEINER,
Librarian The Enoch Pratt Free Library; Associate in History, Johns Hopkins University.

Chapter II.

MARYLAND FROM 1776 TO 1868.

Steps to the Revolution.

In the first colonial period of Maryland's history, the absence of towns, the comparative isolation and the almost boundless personal freedom of the planters checked the growth of political consciousness among the people. What political questions arose they left to be handled by their delegates at the capital, not troubling themselves much about them beyond a feeling that whatever seemed to run counter to the views of the Governor and Council was to be approved on general principles. But in the second period, and especially after the restoration of the Proprietary government, there was a great change. This was the time of a continued struggle for popular liberty; and the people understood that it was something more than a wrangle between the two Houses.

The Palatinate government of Maryland was peculiar. The Proprietary was invested with royal powers, yet the people were liegemen of the King of England. The charter, after carefully defining the rights and privileges that it conferred, in an apparent superabundance of liberality, added a clause declaring that the colonists should enjoy all the rights, liberties and franchises of the people of England. A double standard was thus set up: a measure clearly within the scope of the charter might be combated on the ground that it infringed British liberties.

As the province prospered and the planters increased in wealth, they reached out toward higher standards of living. For one thing, they began to send their sons to England, there to acquire a higher

and broader culture than could be had at home. As the impression prevailed that, next to the owning of land, the law was the only calling for a gentleman, and as, moreover, Marylanders were notably litigious, nearly all these youths studied the law. But the legal conditions of Maryland being peculiar, it was not enough for them to cram their notebooks with judges' decisions under statutes that had no validity in the province; they had to study constitutional law, the foundations of English liberty and the relations of government to the people. Thus there arose a body of constitutional lawyers, some of great intelligence and ability, whose views and arguments, disseminated by the press, were eagerly read by the people, who thus acquired a political education.

At the opening of a series of events which was to draw Maryland into the current of world-politics, and make her an active force in a movement which was destined to change the map of the world and profoundly affect the destinies of a large part of the human race, it was fortunate that she numbered among her leaders men of unsurpassed wisdom, intelligence and patriotism, not to be turned from the course that they believed right by fear of consequences or by popular clamor. While there were many hot-heads ready to precipitate revolution, conservative feeling was still strong in the province. For generations Marylanders had been taught that the British constitutional monarchy was the perfection of human government. Under Proprietary rule it was to England that the people looked, as to a wise and beneficent parent, for the redress of their real or supposed grievances. Even the late harsh measures of that government, while they irritated, had not alienated them: they ascribed them to a malignant ministry who had misled a good and well-

meaning king. The last two governors had been able and just men; and Governor Eden had especially endeared himself by his sincere good will and amiable disposition; so that the leading men, while opposing measures which he felt it his duty to take, still held him in affectionate regard. Eden, naturally, could not look with unfriendly eyes upon men with whom he was on such cordial terms, and who carefully avoided language that could wound him; and thus he cherished a natural illusion that the hostile feeling was confined to a few hot-heads and demagogues, and that the men of standing and intelligence were firmly loyal. These views he impressed upon the British ministry; and even when hostilities had broken out, he advised that, if possible, nothing should be done in Maryland to exasperate the people and weaken the influence of the better sort. Thus, in the early part of the war, Maryland was treated as a loyal province, and even the malignant Dunmore's hands were tied. Prizes taken by British vessels in the Bay were released, and the captain of a cruiser sent a polite note to the governor asking for fresh provisions and permission to capture a New England vessel in the Severn, and was much astonished when given to understand by the Council of Safety that it was not to be thought of.

Maryland an Independent State.

Maryland, therefore, entered into the War of Independence, urged by no spirit of vengeance and smarting under no sense of personal wrong, but because she was convinced that the liberties of the American people were at stake, and that in no other way could they be maintained.

The convention had been constituted to see to the enforcement of the non-importation agreement, and to guard against invasions of the people's liberties.

Its powers gradually widened, and in 1775 it took the government into its own hands. It sent delegates to the Continental Congress, but forbade them to concur in a declaration of independence until it was plain that no other course was possible. On June 28, 1776, this restriction was removed. On July 3 the convention issued The Declaration of Independence of the Freemen of Maryland, setting forth in simple, manly words, with no pompous verbiage, the wrongs of which they complained, and renouncing allegiance to the King of Great Britain. On August 2 the Maryland delegates to the Congress, Chase, Paca, Stone and Carroll, signed the engrossed copy of the Declaration adopted by Congress.

The convention had always recognized its merely provisional character; and now, the Proprietary government having been swept away and Maryland having arisen a free, sovereign and independent state, it proceeded to put the capstone to its labors by framing a Bill of Rights and a constitution for submission to the people. The elections were held in November and December, 1776, and the state government met in the following March, with Thomas Johnson as governor. The convention having wound up its business, dissolved itself by simple adjournment, thus terminating the existence of one of the most remarkable political bodies in history. It was distinctly revolutionary in its origin; its powers were undefined and practically unlimited; yet all its proceedings were characterized by wisdom, conservatism and moderation. Neither successes nor mishaps, neither the passionate appeals of the loyalists nor the blind clamor of the multitude ever moved it from its path.

The state constitution provided for a governor and an Assembly of two chambers, all elective, and an appointed judiciary. The members of the Lower

House, four from each of the nineteen counties and two from each of the two cities, Annapolis and Baltimore, were to be elected directly by the people. The fifteen senators were to be chosen by an electoral college, and the governor by joint ballot of the two Houses. The Senate was restricted to legislative duties, and provision was made for a Council, chosen by joint ballot, to act as advisers to the governor. Under the colonial government the governor and council were the Upper House, but now the executive and legislative departments were entirely distinct.

This constitution still shows traces of distrust in the judgment of the people, and the old idea that popular wishes had better pass through aristocratic minds before being realized in action. But the aristocracy was not that of birth or wealth, but of intellectual leadership.

At the very outbreak of the war, Maryland entered into it with zeal, furnished men, officers and supplies to the Continental army, and strained every nerve to meet the constant demands of Congress. But though represented in Congress, she acted in the war as an ally only. She steadily refused to enter the Confederation, not for private reasons, but in the interest of all the states. Her attitude in this important matter requires some explanation.

Maryland's Part in Forming the United States.

When Virginia declared her independence and formed her state constitution, she claimed as rightfully hers all the land included in the charter of 1609, namely, a tract extending two hundred miles north and two hundred south of Point Comfort, and from the Atlantic to the Pacific. Even conceding, as she did, that this claim was modified by the treaty of Paris, which made the Mississippi the western boundary of the British possessions, Virginia's ter-

MARYLAND OFFICERS IN THE REVOLUTIONARY ARMY.

ritory would be several times as extensive as that of all the other states put together. But she expressed her willingness to "cede" to the states of Maryland, Pennsylvania, Delaware and North Carolina the lands covered by their respective charters. But as the charter of 1609 had been revoked by due process of law in 1624, and no claim made under it for a hundred and fifty years, this extraordinary claim might very well have waited for settlement until the issue of the war was decided, but for a matter which made it of immediate importance.

To induce soldiers to enlist, Congress had offered bounties in land—a hundred acres to each private and larger grants to officers. But where were these lands to be procured? The United States had no lands held in common. Before the Confederation had been formed, Maryland had proposed to Congress that the vast unsettled western territory should be held as the common property of all the states, but this proposition was rejected. Now Virginia, if her claim were allowed, had an inexhaustible stock of the most desirable land in America to draw upon, while other states had little or none. Hence she could draw to herself men willing to enlist, and other settlers, by liberal grants of land at no cost to her treasury, while the less fortunate states must buy from her lands which, if won at all, would be won by the blood and treasure of all. By selling these vast unsettled, unmapped and unexplored lands at the most moderate price, Virginia would have an unlimited source of revenue and could dispense with taxation, and thus attracting all immigrants would grow to a giant state, greater than all the others combined—a central orb to which the others would be insignificant satellites. Both justice and the public welfare protested against such a claim, and Maryland steadily refused to enter the Confederation until the matter

was placed on an equitable basis. Her arguments carried weight: New York and Connecticut—which both had "back lands"—approved the cession of the land to Congress, and at last Virginia yielded, but with certain restrictions. The Maryland idea that these Western lands should be a public domain, eventually to be organized into sovereign and independent states, finally prevailed; this momentous question was settled on a basis of equity, and on March 1, 1781, Maryland entered the Confederation as the thirteenth state.

Maryland's Part in Revolutionary War.

Though down to this time she had been but an ally, no state had shown more zeal in the prosecution of the war. Though no considerable battles were fought on Maryland's soil, the Maryland Line, as her troops in the Continental service were called, were conspicuous in both the Northern and Southern campaigns. To recount their deeds would be to write the history of the war, and but a few actions can be mentioned.

At the battle of Long Island, Aug. 27, 1776, the American forces were defeated and scattered by the overwhelming force of the enemy, who had turned their flank and was closing in around them. Their capture was certain unless the British could be held in check while the remains of the American force could escape through the marshes; and for this desperate service General Stirling chose the Maryland regiment, then commanded by Major Gist. Though the enemy outnumbered them five to one, this devoted band charged them again and again until they had lost two hundred and fifty-nine out of about four hundred that went into action, when, no retreat being possible, they surrendered, having saved the American army.

In the disastrous affair at Camden, South Carolina, on Aug. 16, 1780, Gist's brigade bore the brunt of the battle. At the Cowpens, on Jan. 11, 1781, the British force under Tarleton had forced back, after a stubborn resistance, the first line of the Americans, who retired upon the second line, composed of Marylanders under Col. John Eager Howard, with some Virginia militia and Georgia riflemen. This line stood like a rock and even pressed back the enemy, when Tarleton ordered up his reserve, extending his line so as to threaten Howard's right flank, which was also threatened by a body of cavalry. Howard ordered his right company to change front to meet this flank attack; but the men, misunderstanding the order, moved slowly off to the rear. General Morgan, thinking that they were retreating, rushed up to Howard, who called his attention to the steady deliberation of the movement. The British, confident that the day was theirs, were rushing on with triumphant shouts, when Howard suddenly halted his men, faced them about, and they delivered a deadly fire of musketry in the very faces of their pursuers, who, taken by surprise, halted and recoiled, when Howard's men charged them with the bayonet and they broke and fled. The Marylanders then turned to the right where the combat was still raging, and delivered one fierce charge upon which the enemy surrendered. At the battles of Guilford Courthouse, March 15, 1781, and at Eutaw Springs, September 8, the Maryland Line played a distinguished part. In the latter engagement the British, though technically victorious, in that they held the field, were really defeated, for they were compelled to retreat in haste to Charleston, destroying their stores and abandoning their wounded. In this battle Colonel Howard received a wound which disabled him for the rest of the war.

Maryland's Condition at Close of Revolutionary War.

The Treaty of Paris, June 20, 1783, formally ended the war, which had been virtually ended by the surrender of Cornwallis on Oct. 19, 1781; and in November, Congress, by invitation of the Maryland legislature, met in Annapolis, and there, on December 23, in the Senate chamber of the State House, Washington resigned his commission.

Although Maryland had been spared the devastations of hostile armies, yet the war had been a sore burden upon her. She had strained every nerve to furnish not only men, but supplies to the Continental army, and at the end of the war found herself loaded down with debt, while in addition she had to shoulder her part of the debt of the United States, then tottering on the verge of bankruptcy. The usual palliative, the issuance of bills of credit, had had the inevitable result: the paper money had lost nearly all purchasing power. But apart from direct taxation, the state had two assets: the bank stock held in England and the confiscated lands.

The former was a large fund accumulated in colonial times and invested in Bank of England stock, which was held by trustees. As this fund had been deposited in time of peace and bore no relation to any hostile measures, it was thought that, since peace had returned, the state would have no difficulty in recovering it. But the trustees, acting under legal advice, refused to honor drafts upon it, and for the time being it was sequestered, though part of it was eventually paid.

Then there were the confiscated lands. In 1780 a law was passed confiscating the landed property of loyalists who refused to take the oath of allegiance to the state, including, of course, the ungranted lands of Henry Harford, the last Proprietary. But the state did not assume the position of the Proprietary,

or the Crown as sovereign landlord; it abolished all quit-rents, and the original freeholds became allodial.

The Tories gave much trouble throughout the war, and several conspiracies were sharply put down. But there were also among them men who were no conspirators, but some of the best inhabitants of the state. Looking at the matter now calmly, we can see that the Loyalists may have been as patriotic, in the sense of wishing well to the country, as their opponents. They believed that the British constitutional monarchy was the best government upon earth, and they thought it little less than madness to sever the ancient ties and embark on the unknown sea of democracy because an arrogant ministry and a purblind Parliament had passed a distasteful measure. They could not conceive but that the disciplined force of Great Britain must be victorious over raw colonials; and the miseries of war seemed to them too heavy a price to pay for an abstract principle and a more than doubtful issue. But speculative views had to yield to the logic of circumstances; and the Loyalists had to choose between swearing allegiance to the state or leaving it and forfeiting their lands.

But Maryland's richest assets were her soil, her climate, her waters and her energetic inhabitants. With peace, prosperity began to grow. Immigrants flocked to her lands, especially the rich lands of the Piedmont region. Commerce, which had been hampered by the Acts of Navigation, and manufactures, which had been repressed by British jealousy, now made rapid strides. Better facilities of transportation became necessary, and roads and canals were planned and in part constructed. Shipbuilding throve with commerce, for the European war following the French Revolution produced a demand for American goods, and these were now carried in

American vessels. The Baltimore "clippers," vessels built on the lines of the swift Bay craft, became familiar in every port in Europe, and maintained their reputation for three-quarters of a century.

James Rumsey.

The idea which was finally to supersede them and to revolutionize the navigation of the world had its birth in a Maryland brain. James Rumsey, born about 1742 in Cecil county, who had shown much fertility of invention in engineering and mechanics, conceived the notion of propelling vessels by steam power. His first idea, which may have been suggested by the curious locomotion of the squids and cattle-fishes, was to drive his boat by a jet of water drawn in at the bow by a steam pump and forcibly ejected at the stern. With a boat of this kind he made a public experimental test on the Potomac in 1786, which was considered successful, the boat having been driven against the current at the rate of five miles an hour. There being no suitable machine shops in Maryland, Rumsey went to England to improve his device, on which he was still engaged when he died by apoplexy in 1792. As his plans have not been preserved, we cannot say whether he adhered to or departed from his original principle.

Maryland's Part in the Formation of the United States Constitution.

The Articles of Confederation, which worked moderately well while all interests had to be subordinated to the exigencies of war, proved unsatisfactory in times of peace, and steps were taken to amend them. Into the history of the Constitution of 1787, and the struggle of opposing interests of which it was the outcome, it is not necessary to enter. But

it is not amiss to recall the fact that Luther Martin, the able attorney-general, withdrew from the convention, and with almost prophetic vision laid before the legislature the dangers lurking in the provisions of the compact. He pointed out that the Federal government, impatient of its restraints, would tend to enlarge its own powers by construction until the creature became the master of its creators; that a power given for the purpose of providing a Federal revenue would be extended to a control of all commerce and traffic; that the newly invented crime of "treason against the United States" might be stretched to include anyone whom the Federal government was pleased to consider an enemy, and might make men traitors to their own states; that the inequality of representation would destroy the equality of the states, and that in practice the smaller states would be overridden by the larger—predictions which have since been fulfilled to the letter. Nor was Martin the only member gifted with prevision; Patrick Henry, Pinckney, Mason, Williamson and Grayson all foresaw the inevitable results, and uttered unavailing warnings. The Tenth amendment, which it was fondly hoped would check Federal aggrandisement, has proved about as efficacious as a line drawn on the sand to stop the advancing tide, or a notice of "No admittance" to a burglar.

But the constitution was probably the best compromise that could have been accepted; and after all, the best constitutions have value only so long as men recognize the sanctity of solemnly plighted faith. Maryland, not without misgivings, ratified it on April 28, 1788.

In 1791 Maryland and Virginia ceded to the United States, for a permanent seat of government, a district ten miles square, lying on both sides of the

Potomac. The public buildings were all to be erected on the Maryland side. In 1846 the part to the south of the Potomac was retroceded to Virginia.

Maryland's Part in the War of 1812.

The war of the Revolution had left bitter feelings on both sides of the Atlantic, and several things combined to exasperate animosity. England was at war with France, the friend of America, and American privateers, sailing under letters of marque issued by French consuls, had wrought havoc with British commerce; American ships, as neutrals, carried on the trade of both belligerents, and it was peculiarly galling to England to see the products of her colonies carried thus to hostile ports. The British government ordered the capture of ships so employed, and Congress retaliated by restricting trade with Great Britain. The counter-stroke to this was the Order in Council, declaring the whole coast of Europe in a state of blockade, to which Napoleon replied by his Milan decree, confiscating all neutral vessels that carried British goods, had touched at British ports, or even been searched by British cruisers; so that, between the hammer and the anvil, American commerce was crushed out of existence.

Still more irritating was the alleged right of search. England was desperately in want of seamen for her navy, and claimed the right to overhaul American ships on the high seas and take from them British deserters. The captains, of course, recognized a deserter in any able-bodied man, clapped him in irons and carried him off despite all protests and proofs. A storm of indignation arose. One case was peculiarly flagrant: three deserters from a British ship lying off Annapolis had enlisted on board the American frigate *Chesapeake,* Commodore Barron. Their return was demanded, but the men

proved that they were American citizens who had been forcibly impressed, and the demand was refused. When the *Chesapeake* sailed she was brought to off the Capes by the British frigate *Leopard,* whose commander not only demanded the men, but also claimed the right to search for other deserters, and on Barron's refusal, opened fire, killing and wounding twenty-nine men. The *Chesapeake* was entirely unprepared for action, and Barron surrendered. This attack on a ship of the navy, in time of peace, filled the cup of exasperation to overflowing, and war was declared on June 18, 1812.

The incidents of that war, except so far as they concerned Maryland, need not be detailed here.

At the beginning of the Revolution, Maryland, as has been shown, was treated with great leniency, but now she was marked out for special vengeance. Most of the swift privateers that had preyed on British commerce had sailed from the Chesapeake, and Baltimore in particular, was regarded as a nest of pirates to be destroyed without mercy.

Maryland was quite aware of this, and began organizing her militia and getting ready for defense. As it was the constitutional duty of Congress to assist in repelling invasions, she imagined that she might rely on Federal aid if her own force was insufficient. In 1813 this was to be tested. Admiral Cockburn with a British fleet sailed up the Bay, ravaging both shores; and as there was little doubt that Baltimore was the objective point, the Federal government was appealed to for aid. It turned a deaf ear; New York and Virginia had more votes in Congress, and to them aid was sent, while Maryland was left to shift for herself. Luther Martin had proved a true prophet in this instance, and others were to come.

Baltimore, however, undismayed, set about her

preparations for defense, while Cockburn was plundering farms and villages, not always with impunity. The Navy department at last roused itself to the extent of placing a small flotilla of gunboats for coast defense under the command of Capt. Joshua Barney, an old soldier of the Revolution. These boats could take refuge in shallow waters; so Cockburn fitted out a fleet of barges which encountered Barney in Battle Creek, Calvert county, but were driven off with loss. But while the admiral was burning farmhouses and carrying off pigs and chickens, he was waiting for a reinforcement of Wellington's Peninsula veterans, who arrived in August, 1814, under the command of General Ross. The plan now was to strike a blow at Washington and then attend to Baltimore.

As the enemy's troops could now be brought by way of the Potomac and Patuxent within easy striking distance of the capital, the Federal government awoke from its comatose condition long enough to entrust the defense to General Winder, of Baltimore, a capable officer, and this done, relapsed into lethargy, ignoring all Winder's appeals for calling out the militia and strengthening the strategic points.

Cockburn sent his transports up the Patuxent, and Barney, whose flotilla was in that river, disembarked his men, burned his boats and marched to Bladensburg, within six miles of Washington, where a force of Maryland and Virginia militia had prepared to make a stand, to whom he brought the aid of his men and a small battery of two guns. Here, on August 24, Ross made his attack. The defense at first was spirited, Barney's battery in particular rendering admirable service, but the steady onset of the British veterans proved irresistible, and the Americans broke and fled. Barney's battery held its own until

BALTIMORE IN 1835.

its gallant commander was struck down by a musket-ball. He was taken prisoner by the British, but immediately paroled by General Ross. Winder, with what men he could rally, set out for Baltimore, and Ross entered Washington and burned the capitol and public buildings.

Baltimore knew that now her time had come, and began to make ready, the defense being entrusted to Generals Smith, Winder and Stricker. All citizens turned out to construct a line of earthworks to the east of the city, while to resist the attack by water they strengthened Fort McHenry at the mouth of the channel with several small batteries, and sank vessels in the channel itself. On Sunday, Sept. 11, 1814, about nine thousand British troops under Ross disembarked at North Point, about fourteen miles southeast of Baltimore, and took up their line of march the next morning. General Stricker led out a force along the Philadelphia road to reconnoitre, and on news of the enemy's approach formed a line of battle across the road. A small scouting party, including a few riflemen, was sent ahead, who suddenly encountered the British advance and a sharp skirmish followed. Ross, thinking from the firing that the Americans might be in greater force than he had supposed, rode to the front to see the situation, and was mortally wounded by a shot from the woods which lined the road. Colonel Brooke, the second in command, resumed the march, and Stricker fell back to a position near the city. This was the battle of North Point, in itself an insignificant skirmish, but important in that it replaced the able and daring Ross by the cautious and somewhat pedantic Brooke.

On the next morning Brooke examined the defenses of the city, and finding them stronger than he had expected, determined to postpone the attack until he had the co-operation of the fleet, which was

to bombard the city from the south while he stormed the earthworks on the east.

But a hitch occurred in these arrangements. On Tuesday morning fifteen vessels, including five bomb-ketches, arrived within about two miles of Fort McHenry and opened a bombardment to which the Fort made no reply, as its guns could not carry that distance; but all attempts to pass or to take it in the rear were repelled by a destructive fire. All that Tuesday night Baltimoreans listened to the bursting shells, yet still more afraid of a cessation of firing which would announce the surrender of the fort and the doom of the city. But Wednesday's sun saw the flag still flying; and in a few minutes the fleet drew off and the naval attack was abandoned. Brooke, on learning of the failure of the fleet, withdrew his land force, and Baltimore had seen for the first and last time the face of a foreign enemy.

Just before the bombardment, Francis Scott Key, a young lawyer of Frederick, had gone with a flag of truce on board Admiral Cochrane's ship in the endeavor to procure the release of a captured friend. He was received with courtesy, but detained on board his own vessel until the attack was over, and there all night he watched the bombardment. When morning showed the flag still flying and the baffled fleet drawing off, his joy found expression in a song —"The Star-spangled Banner."

The war now dwindled to attacks on property; plundering raids on the one side and the ceaseless activity of privateers on the other, until ended by the Treaty of Ghent, Dec. 24, 1814.

Growth of Industries, 1815-1860.

Peace being restored, a great expansion of industry began. Commerce and manufactures flourished, and population grew. The mineral riches of the

state, especially coal and iron, began to be utilized. Baltimore, the centre of industry, rapidly increased, and was now the third city of the United States. Tobacco, so long the staple product of Maryland, was far outstripped by corn and the cereals, and Baltimore became the first flour market of the world. Marylanders were keenly alive to the importance of the growing west, and were determined to strain every nerve to make Baltimore the Atlantic outlet of the western trade, and a canal was planned to connect the Chesapeake and the Ohio. But what especially impressed the popular imagination was the opening of the Liverpool and Manchester railway in England. Such a road from Baltimore to the Ohio was planned, the stock eagerly subscribed, and the first stone was laid, with imposing ceremonies, on July 4, 1828, by the venerable Charles Carroll, then over ninety years of age and the last surviving signer of the Declaration of Independence. The cars were at first drawn by horses, but in 1830 steam locomotives of a very primitive pattern were introduced.

The natural advantages of Baltimore as a commercial and manufacturing centre were early recognized. Placed in a mild climate, at the junction of the Piedmont plateau and the Coastal plain, near the head of the Chesapeake Bay, where the estuary of the Patapsco forms a safe and capacious harbor where vessels of all sizes can load and discharge in the city itself, she occupies an almost ideal site for a great commercial city. The great Bay, two hundred miles in length and indented with rivers and estuaries, furnishes alone, from the products of land and water, an extensive trade. The natural routes of trade from the west and southwest converge to her. The men of 1824 were awake to these advantages.

Throughout the War of Independence Maryland's confidence in Washington had been unbounded and her devotion ardent, and the men of this time determined to perpetuate—not his glory, but their devotion to his memory in some worthy memorial. A majestic monument of white marble was determined on. A beautiful site in Baltimore was given by Col. John Eager Howard, and the monument, crowned by a colossal statue of Washington in the act of surrendering his commission, was completed in 1830.

Slavery in Maryland.

Some of the energies that had been engaged in the Revolutionary War, when deprived, by its close, of an external field of activity, found employment in the domestic field of politics. The undying issue of freedom against restraint is always with us, and as there was no longer a Proprietary government or a British ministry to oppose, one-half the people set itself in opposition to the other. This divergence showed itself in the making of the Federal constitution, where the party which desired a strong centralized Federal government was opposed to the party which desired the utmost freedom compatible with order. There were also more concrete antagonisms —the Northern states were largely commercial and manufacturing, and the Southern states agricultural. Well in the background, as yet, lay the question of slavery. This existed in all the states, but at the North the number of slaves was insignificant, while all the industries of the South rested upon slave labor. The disparity of interests came out in the apportionment of Federal representation on the basis of population, the North contending that the slave was property and not to be counted as a person, while the South maintained that he was a person and a producer. It ended in a compromise, illogical, as

compromises usually are—the slave population was to be reckoned at only three-fifths of its actual numbers.

The importation of negro slaves into Maryland began at a very early period. They were found very useful as farm laborers, but they were not brought in in any considerable numbers until after the treaty of Utrecht in 1713, which put the African slave trade into English hands. As the very lucrative trade with Africa depended upon a market for the slaves, they were forced upon the southern colonies. These began to look with apprehension on the influx of negroes, whose number in Maryland had risen to 50,000 by 1761; but all efforts to restrict their importation were frustrated by England. Their natural increase, also, was more rapid than that of the whites, and there would have been grounds for the gravest alarm but for their peaceful and inoffensive disposition. Crimes of violence were unknown among them, and as for their ineradicable propensity to pilfering, that was accepted as a part of their nature.

Political Parties.

So slavery in itself was not at that time a political question. But the great fundamental issue which, in the Thirteenth century, assembled men at Runnymede, in the Seventeenth signed the Petition of Right, and in the Eighteenth the Declaration of Independence, still remained alive. It presented itself in various concrete forms such as the Tariff, Internal Improvements, the Bank of the United States; but whatever form it assumed, it was always fundamentally the same, the increase of the powers of government at the expense of the liberties of the people. In this country, owing to our complex form of a union of free states, each state being the people as an organized political unit, and the people of the

United States as such having no political existence, it took the shape of an issue between the Federal government and the states.

These two antagonistic principles were embodied in two parties: the Federalists (afterwards Whigs) and the Democrats. They were great and legitimate parties, each favoring a policy which professed to be for the good of all, and not for that of a part. Consequently there were many Whigs at the South and Democrats at the North, and there was no sectional cleavage, though there was, and always had been, a consciousness of opposing interests.

In Maryland the parties were pretty equally balanced, and elections often turned on the personal popularity of the candidates. From 1788 to 1801, Federalist governors were elected; from 1801 to 1811, Democratic; from 1811 to 1818, Federalist, and from 1818 to 1833, Democratic. These alternations, however, cannot be taken as exactly recording changes of public sentiment, as these governors were elected by the Assembly.

State Convention, 1837.

In 1837 the state constitution was reformed; the State Council, a relic of Proprietary rule, abolished, and provision made for electing the governor and state senators by popular vote.

Work of George Peabody.

The whole country had entered ardently upon a period of commercial expansion, and perhaps no state more recklessly than Maryland. Railroads and canals on a gigantic scale were planned, and the credit of the state pledged for vast sums, largely loans effected in Europe, the mere interest on which was a staggering load to carry. The collapse of the Bank of the United States, showing the pernicious nature

of a scheme which placed the credit and prosperity of the whole country in the hands of a few men, came as a terrible blow to Maryland. Universal bankruptcy seemed imminent. Maryland struggled for five years under her burden of debt, and in 1842 found herself unable to pay the interest due her creditors. Then it was that George Peabody, a wealthy banker of London, but once a citizen of Maryland, rendered the state a service which entitles his memory to lasting gratitude. By the influence of his high character, even more than his wealth, he succeeded in restoring confidence in the good faith of the state. Governor Pratt impressed upon the people the duty of maintaining the public credit at all costs, and prevailed on the legislature to impose, and the citizens to submit to, a heavy rate of taxation. With this and with rigid economy, arrears of interest were paid off and regular payments resumed. For his great services which saved the honor of the state, Mr. Peabody refused to accept any compensation.

Slavery a Political Issue.

In politics apparently new issues kept arising, but it was as in a kaleidoscope where the same pieces are arranged in new figures. As the powers delegated to the Federal government were strictly defined and limited by the constitution, those who desired to enlarge them relied upon "implied powers" and a "liberal construction." If the giant could not be let loose at once, his chain might be gradually slackened and weakened. The Democrats maintained that the only safety lay in a strict construction. This war might have been waged at the ballot-box for many years had not a question arisen which properly had nothing to do with Federal politics, but which was adroitly used to convert friends into foes and dissentience into hate.

The abstract question whether negro slavery is in itself right or wrong need not occupy us here. Whoever knows the negro race knows that if they coexist in considerable numbers with the whites, they must be held under firm control, or the ruin of both will result. During the colonial period, and for more than half a century of the republic, nobody doubted this. In 1776 slavery existed in all the thirteen states. But while the consenus was universal as to the status of negroes born in servitude, there were differences of opinion as to the importation of slaves. This Maryland, in colonial times, had vainly tried to check, as has been shown.

Whether the negroes were worse or better off as slaves to white Christians than they had been as slaves to black savages is a matter of no consequence; it was certainly a pernicious system that was pouring into the country an inferior and unassimilable race, naturally incapable of progress. This was so apparent that all the states abolished the slave trade in 1808. But there remained another cause of anxiety; under slavery the blacks multiplied so rapidly as to give rise to grave apprehensions. In Maryland, from 36,000 in 1748 they rose to nearly 50,000 in 1761. In 1790 they were 34 per cent. of the population, and 38 per cent. in 1810. This was the high-water mark, after which the ratio steadily declined, and now (1908) it is only 19 per cent.

As there were many slaves at the South and few or none at the North, this marked a distinction between the sections, but it bore no relation to the antagonistic interests. It mattered nothing to the North with what kind of labor the cotton was grown that fed her mills and paid for her products, any more than it mattered to the South whether the fishermen of Nantucket or the shoemakers of Lynn were white or black.

But another question came in: the Whig, or old Federalist party, could not hope to fix itself immovably in power unless it could unite the whole North against the South. The slavery question seemed to offer them the means of doing this.

As early as 1789 there had been a society formed, having as its object the gradual emancipation of the slaves; but as this would only change their status without lessening their numbers, it met with but little favor. A more rational idea was that of colonization in Africa, and a colony for manumitted slaves was founded by Marylanders in 1821. Great hopes were entertained of this colony, but it was found that few were willing to go and fewer still to stay; and those who did stay, removed from the restraints and influence of white society, retrograded toward their natural level.

A number of persons who advocated the abolition of slavery by law, let the consequences be what they might, attempted to form a political party in 1839, and in speeches and through the press uttered fiery denunciations of a state of things of which they had no knowledge, and depicted horrors which existed only in imagination. But they soon found out that a political party cannot be founded on disinterested philanthropy, nor could they persuade the Northern people that they had anything to gain by ruining their best customer. Naturally, the party that wanted an issue and the issue that wanted a party were drawn together by irresistible attraction. The party whose aim was to secure perpetual supremacy for the North saw what use could be made of this question by assuming high moral grounds and appealing to men's passions. The former Federalists, now Whigs, assimilated the Abolitionists and became the Republican party. But still the South could not believe that these violent threats and denunciations

reflected any general sentiment of the Northern people.

The attempt of John Brown in 1859, at Harper's Ferry, to arouse and arm the negroes against the whites was like a flash of lightning in the night, revealing the whole situation. For Brown was not a half-crazed fanatic, nor was his plan merely to liberate a handful of negroes. He and his supporters believed that the blacks throughout the whole South could be roused to revolt if they had a daring leader, and that it only needed to strike a blow to start another massacre of Santo Domingo. And when the press, the pulpit and the rostrum at the North rang with praises for the attempt and lamentations over its failure, it was natural to conclude that its success would have been hailed with general joy.

The position of Maryland at this time was very painful. Her people were devoted to the constitution and the Union. She was a part of the South, but had many close ties with the North. There was hardly an advocate of secession within her borders, and even later, when it was seen that the secession of some of the states was inevitable, none but the unthinking desired that Maryland should secede. It was clear that as the Federal navy could control the Chesapeake and its waterways, and the whole northern border lay open to the Federal army, the secession of the state would be followed by her immediate subjugation—a heavy blow to the Confederacy at the very opening of hostilities.

Maryland in the War of Secession.

Men's minds being thus agitated, the fall of Fort Sumter on April 14, 1861, and the President's call for troops, created intense excitement. On the 19th a body of troops from Pennsylvania and Massachusetts, on their way to Washington, were received by

an angry crowd who placed obstructions on the track and would not allow the cars to pass, which were then run back to the President Street station. The Mayor and Marshal of Police were well aware of the danger, and had nearly the whole police force of the city on the ground. The commanding officer of the Sixth Massachusetts Regiment, despite the warnings of the Mayor and Marshal, determined to march his men through the city to Camden station, where cars were awaiting them. The police formed an escort and the Mayor marched at the head of the column along a street lined with spectators, most of whom had been attracted by mere curiosity, to whom he earnestly appealed to refrain from hostile demonstrations. Excitement grew; the crowd was unarmed, but stones were thrown, striking some of the soldiers. The order was given to fire and several citizens fell. The soldiers, as they advanced, kept up an irregular fire, even shooting up and down cross-streets at persons who had nothing to do with the affray. This roused the people to fury. Numbers came running at the sound of the firing, and the troops would have fared badly had not the escort of police confronted the crowd with drawn revolvers. In this way the column reached Camden station, where they took refuge in the cars. A few miles beyond Baltimore they fired at and killed a citizen who was fishing in the Patapsco, and had not even heard of the outbreak. In this unhappy affair twelve citizens and four soldiers were killed.

The Northern press breathed fire and slaughter, and demanded that Baltimore be laid in ashes. Of course this was mere idle vaporing, but as considerable bodies of troops were known to be on the way, and as another attempt to pass would surely have resulted in a more violent outbreak, since the citizens, almost to a man, were arming, the Governor

and Mayor gave their sanction to the destruction of the bridges to the north and east of the city, thus checking the advance of forces until the authorities at Washington could be appealed to. A deputation of leading citizens called upon the President and explained the situation, and orders were issued that the troops for Washington should avoid Baltimore and go by water to Annapolis. Federal forces, soon after this, occupied the city and constructed fortifications at commanding points.

In view of the crisis a special session of the legislature was called to meet in Frederick, Annapolis being under military occupation. At the election in Baltimore politics, in the ordinary sense, were cast aside, and the wisest and most conservative citizens elected with unanimity. A rumor having found credence that this legislature intended to pass an ordinance of secession, they hastened to declare that they had no such intention, nor did they possess the power to pass such an ordinance. But they passed vigorous resolutions against the conduct of the war and the treatment of the state as if it were a conquered province.

It would seem that the Federal authorities cherished some peculiar malevolence against Maryland, although she had not seceded nor offered any resistance. Baltimore was put under the control of a Provost-Marshal, and all the machinery of government superseded by military force. Arbitrary arrests occurred every day, and citizens were dragged from their homes and sent to Northern prisons, not only without trial, but without ever being informed of the charges against them. Spies and informers were everywhere watching to pick up something that could be carried to the Provost-Marshal. Mayor Brown and Marshal Kane, who had saved the lives of the soldiers on the 19th of April, were sent to Fort

Warren. The legislature which had declared against secession was surrounded by troops, and several of its members arrested and sent to a military prison. A citizen was seized at his house by a party of soldiers and imprisoned in Fort McHenry. His friends applied to Chief Justice Taney of the Supreme Court of the United States for a writ of habeas corpus, which was granted, but the commanding officer refused to obey it, saying that he had been "authorized by the President" to suspend the writ. Judge Taney then issued a very able opinion showing that the President had no such power; but, of course, the constitution was now regarded as a dead letter by those who had solemnly sworn to maintain it.

All these things aroused hot indignation at the time; now they are rather matter for sober reflection. It is better to see ugly truths than to be blind, and the events of this time taught a lesson which should never be forgotten, and scattered illusions which can never return.

Exasperated by such deeds, thousands of Marylanders crossed the Potomac and joined the Confederate army. This was easy at first, but later it was extremely difficult, and many who would have gone were either deterred from starting or abandoned the attempt. But even to the last, secret communications were kept open and letters and messages forwarded.

The number of Marylanders in the Confederate army is not exactly known, as they were under various commands, but some estimate them at about 20,000 men all told. A large number also joined the Federal forces, either voluntarily or forced by the conscription; and so far as courage and conduct are concerned, the state has no cause to be ashamed of any, whether they wore the blue or the gray.

The only battles of any moment fought on the soil

of Maryland were those of South Mountain and Antietam, when General Lee entered Pennsylvania in 1862.

The former occurred on September 14 at two passes in the Blue Ridge, about eight miles northeast of Harper's Ferry, which was strongly fortified and held by about 12,000 Northern troops. This it was Lee's plan to capture, and Jackson was hurrying to attack it. The Federal general, McClellan, was hastening to its relief, and the battle was fought to hold him in check. The Confederates, though greatly outnumbered, held McClellan until nightfall, and Harper's Ferry surrendered the next day.

The battle of Antietam was fought on the 16th and 17th of the same month, and takes its name from a small stream which divided the armies of McClellan, with about 90,000 men, and Lee, with about 40,000. The engagement lasted two days and was one of the fiercest of the war. At the end Lee withdrew in good order to the south of the Potomac, and McClellan's losses had been so heavy that he was unable to follow.

Political Conditions During the War.

We return now to the political conditions.

A pretense of free institutions had been left to the state, and elections were held under due precautions to secure the choice of candidates acceptable to the party in power. Citizens of doubtful "loyalty" had their votes rejected, or were even arrested, and soldiers were stationed at the polls to intimidate voters, many of whom, knowing the uselessness of the attempt, remained at home. To make assurance surer, a test-oath, a device unheard of in the state and adopted from the old iniquitous British laws, was offered to voters.

The legislature of 1864, elected by such means, devised a plan to fix their party immovably in power

by framing a new constitution. They did not, however, write one and declare it adopted, but somewhat pedantically went through the form of submitting to the people the question of calling a constitutional convention. The voter, unless of known "loyalty," was required to answer a string of questions so framed as to catch any but a thorough-going partisan. It was not sympathy with the Southern cause that they feared—Southern sympathizers never thought of voting—what they feared was the conservative men of their own party, of whom there were many, who, while entirely faithful to the cause of the North, disapproved these outrageous methods. To catch these the judges were empowered to refuse the ballot of any voter whom they thought suspicious.

Constitution of 1864.

The convention met at Annapolis on April 27, 1864. In the constitution they drew up, beside tests which disfranchised all but these partisans, there were two remarkable articles, the fifth and twenty-fourth, one intelligible and one unintelligible. The fifth article declared that every citizen owed "paramount allegiance to the Constitution and Government of the United States." Here was a phrase to stagger the strongest understanding. "Paramount" belongs to a sovereign, "allegiance" to a subject. How could there be two allegiances, one paramount to the other? Allegiance is due to a *person,* natural or moral. Now what was the "government" that claimed allegiance? Surely not the administration, a body of public servants elected by the people of the states. The creator could not owe allegiance to its own creature. Then where was to be found the liege lord and paramount sovereign of the United States? Who had ascended the vacant throne of George III.? Of course the framers of this precious

phrase had no idea what they meant by it, beyond a muddled notion that it would rivet still firmer the fetters they were forging for their fellow-citizens.

But the twenty-fourth article was a very chrysolite for clearness. It provided that "hereafter in this state shall be neither slavery nor involuntary servitude, except for crime * * * and all persons held to service or labor as slaves are hereby declared free."

The value of the slaves in Maryland at this time was estimated at $35,000,000. Many of these belonged to adherents of the party in power, who were thus called on to suffer for their faith. But, on broader grounds, what would be the result of turning loose eighty-seven thousand negroes to shift for themselves was a question of the most serious kind. The framers of this constitution knew that it would have to be forced through, so they provided a new set of qualifications for those who were to vote on it, thus making it operative before it had been adopted. Yet, despite all their contrivances for suppressing the will of the people, there was a majority of two thousand in the state against it. Then they tried their last resort: they took the soldiers' vote outside the state, and thus pulled it through by a very small majority. Under this constitution, tainted at every step of its generation and adoption by fraud, perjury and violence, the people of Maryland remained for three years.

Maryland at the Close of the War.

The cessation of the war found Maryland still in the state of a conquered province. Of 95,000 voters about 60,000 were disfranchised, and of the remainder about 15,000 were opposed to the radical faction, so that the state was ruled by little more than one-fifth of its voters. But the exigencies of

war now no longer existing to confuse ideas of justice and right, a "conservative" wing arose in the Republican party who refused to indorse the extreme measures of the radicals. The latter, seeing that power was slipping from them, made frantic efforts to retain it, even to the extent of imploring the Federal authorities to restore military law, but their pathetic appeals were unheeded. They had, perhaps, somewhat discredited themselves with the authorities at Washington by declaring against negro suffrage, though they now withdrew their objections.

The Conservative Union men very faithfully collaborated with the Democrats in restoring the reign of justice and impartial law. The officers of registration, seeing that the tide was turning, no longer attempted to apply the act in its severity, but listened only to specific charges supported by adequate proof. A legislature was now elected which fairly represented the people, and one of its first actions was to pass an act authorizing an election to decide on the calling of a constitutional convention. The election was held in April, 1867, and delegates to the convention were elected by a large majority.

In May, 1867, the convention assembled at Annapolis, and drew up a Declaration of Rights and a Constitution which were submitted to the people and adopted by an overwhelming majority. The Declaration of Rights declared "That the provisions of the Constitutions of the United States and of this state apply as well in time of war as of peace; and any departure from or violation thereof under the plea of necessity or any other plea is subversive of good government and tends to anarchy and despotism."

Maryland had never ratified the Fourteenth amendment to the Constitution of the United States, but as that had already become the law of the land, the word "white" was omitted from the qualifica-

tions for suffrage. Persons elected to office were required to swear to support the Constitution of the United States and "bear true allegiance to the State of Maryland." The sweeping character of the revolution is shown by the fact that in the legislature of 1868, for the first time in the history of the state, there was but a single party, every member of both houses being a Democrat. Thus Maryland, after six years of bondage, became once more a free state.

BIBLIOGRAPHY.—*American State Papers* (Washington, 1832–61); *Archives of Maryland* (Vols. XI., XII., XVI., XXI.) (Baltimore, 1882); Brown, George W.: *Baltimore and the* 19 *April*, 1863 (Baltimore,1887); Elliott, J.: *Debates on the Adoption of the Federal Constitution* (Philadelphia, 1861); Hening, W.: *Statutes of Virginia* (Richmond, 1808–20); Ingersoll, C. J.: *History of the War of* 1812 (Philadelphia, 1852); *Maryland Gazette* and other contemporary journals; *Niles' Register* (1816-49); *Proceedings and Acts of the General Assembly of Maryland* (Baltimore, 1816–49); Scharf, J. T.: *History of Maryland* (Baltimore, 1879).

WILLIAM HAND BROWNE,

Professor of English Literature, Johns Hopkins University; author of *Maryland, The History of a Palatinate*, etc., editor of the *Archives of Maryland* and the *Maryland Historical Magazine.*

CHAPTER III.

HISTORY OF MARYLAND FROM 1865 TO 1909.

Political Condition at Close of War.

The state of Maryland is essentially conservative, although the conservatism is not of that hide-bound type which resists all improvement. The large number of first things which are attributed to the state show the progressiveness which characterizes the people, yet this progressiveness carries with it no feverish search for novelties; a careful testing,

either by the Marylanders or by other peoples, is demanded before new measures are adopted. Thus it was thoroughly characteristic of the state that the worst taunt which could be flung at a political party was the term *radical,* and that the Democratic party dominated Maryland for many years, while it placed at the head of its tickets its name with the adjective, conservative, but lost the state on national issues to the Republican party, when it had lost the right to the use of this adjective.

In 1865 the state of Maryland found itself emerging from the great war of the past four years which was just closing. During that combat she had taken the side of the Union, though her sons had fought bravely in the armies on both sides of the struggle. She had suffered comparatively little devastation from the campaigns of the war, although the Confederate armies had thrice crossed her frontiers on important movements and two noteworthy battles had been fought within her borders. In 1864 a constitutional convention had prepared fundamental laws for the state, which Augustus W. Bradford, the governor, had just declared to have been adopted by popular vote. This constitution was redolent of loyalty to the Union, prescribed severe test oaths as to loyalty to be taken by individuals before they could exercise political rights, gave Baltimore increased representation in the legislature, abolished slavery and provided for the establishment of a state system of public schools.

The election of November, 1864, had resulted in the choice of Thomas Swann as governor and of Dr. C. C. Cox as lieutenant-governor, both of Baltimore City. Both men were candidates on the Union ticket and were opposed by Democrats, who supported the national platform on which McClellan sought the presidency. In national politics the state

was represented in the Senate by Reverdy Johnson, an astute and genial lawyer, who was one of the leaders of the Federal bar, and by Thomas Holliday Hicks, who had been governor at the outbreak of the war. At Governor Hicks's death in 1865, his place was filled by the election of J. A. J. Creswell, of Cecil county, who was later appointed postmaster-general by President Grant, and who served as one of the United States counsel in the Alabama claims before the Geneva tribunal. Johnson, the other senator, was eminently serviceable to the country as a conservative, endeavoring to harmonize the diverse interests during the early reconstruction period, and was remarkably influential, owing to his knowledge of constitutional law and his personal popularity with the members regardless of their party affiliation. He retired from the Senate in 1868 to become Minister to Great Britain. He was cordially received there, and after a year's service returned to the practice of law in Baltimore, closing a long life of public service with a sudden death in 1876. From the House of Representatives, the eloquent and able Henry Winter Davis was just about to retire and to finish a brilliant career by an untimely death in December, 1865. Congress paid him the unprecedented tribute of having him publicly eulogized, though he was not a member at the time of his death. Among the representatives elected from the state to the Thirty-ninth Congress the most noteworthy were: Francis Thomas, an erratic but forceful man, a former governor of the state, who represented the Western Maryland district and the extreme Union men, and the gallant soldier, Gen. Charles E. Phelps, just returning from command of a Maryland regiment in the Union army. After a brief career in Congress General Phelps followed President Johnson into the Demo-

cratic party, and returning to the practice of law won high reputation as a judge of the Baltimore courts for nearly thirty years, while the literary labors of his leisure hours made him widely known as a Shakespearean scholar. Montgomery Blair, who had served in Lincoln's cabinet, was now residing in the state and threw himself into the conservative movement.

There had been no Republican party in Maryland during the war, but the dominant party had been the Union one, composed of Old Line Whigs, Know-Nothings and Democrats, banded together because of the predominance of one issue—the preservation of the Union. They had stayed together until the close of the war, but now a wide cleavage came among them, and in the days of the reconstruction of the Southern states those Union men, who were not willing to follow the course of the majority in Congress, aligned themselves with the Democratic party in the state, while the remnant of the Union party reorganized itself as the Republican party. The division may be seen clearly in the course of the two men chosen to executive office in 1864, for Governor Swann became a Democrat, while Lieutenant-Governor Cox became a Republican. The result of the readjustment of voters was that the vast majority of citizens became Democrats for the time, and the ranks of the Republicans, though much increased by the negro voters, who were added to the electorate by the Fifteenth amendment to the Federal constitution in 1870, were so much in the minority that, from 1866 to 1895, Maryland suffered the disadvantages of being a one-party state.

In 1865, while the unconditional Union men controlled the state, Maryland had its first law for the registration of voters. Disloyal persons were rigidly to be excluded from the lists, and the registrars

were given power to refuse to permit suspected persons to register, even though they took the oath of allegiance. The courts upheld the constitutionality of the act, but it produced a widespread dissatisfaction and only a comparatively small number of voters registered. Governor Swann at first supported the law, but just before the November election of 1866 he changed his position, removed the police commissioners of Baltimore City, who had been extremely zealous in rigorously enforcing the law, and appointed others more conservative. These latter were thrown into jail on a warrant, but were released on writ of habeas corpus shortly after the election. In spite of their arrest and the limited electorate, Baltimore City cast a majority for the Democratic ticket, and the majority for that party's legislative nominees throughout the state was very considerable. This legislature, convening in January, 1867, repealed the registration law, and enacted one requiring merely an oath of future loyalty, while it also provided for a vote in April on the question of holding a new constitutional convention. During the session Governor Swann was elected to the United States Senate, a law requiring one senator to come from the Eastern Shore being repealed for that purpose. Fearing, however, that Dr. Cox, as governor, would follow a different policy, Governor Swann changed his mind at the last minute and declined the honor. The legislature thereupon elected as senator Philip Francis Thomas, an Eastern Shoreman, who had been in Buchanan's cabinet in 1860. In spite of Reverdy Johnson's efforts, the Senate, in February, 1868, refused to receive Thomas on the ground of a doubt as to his past loyalty, and the legislature then elected George Vickers, of Kent county, as senator. Governor Swann sat in the House of Representatives as a

REVERDY JOHNSON.

Democrat from 1869 to 1879. When Johnson retired from the Senate in 1868, the governor appointed, at his request, William Pinkney Whyte to succeed him. Whyte was a man of wonderful physical force and energy, who entered politics about 1850 and closed his long and distinguished career in 1908, while again a member of the national Senate.

Constitution of 1867.

A large majority of the electorate favored the constitutional convention, and it assembled at Annapolis on May 8, 1867. Its sessions lasted until August 17, and its acts were ratified by a two-thirds majority of the voters at the election held on September 18. The constitution went into effect on October 15, and is still in force, but slightly amended. It provides that the question of a constitutional convention be submitted to the people every twenty years; but, both in 1887 and in 1907, the people voted against holding such a convention, fearing the uncertain result of its deliberations.

In some ways the constitution of 1867 was a reactionary one from that of 1864. It abolished the office of lieutenant-governor and changed the oath of allegiance to the state, so as to omit all mention of the United States; but it preserved many of the important features of the previous constitution. A governor to serve for four years was provided and a legislature of two houses: the upper house or Senate, a continuous body elected for four years, to consist of one member from each county, or legislative district of Baltimore City (of which there were then three, now increased to four), and a lower house or House of Delegates, elected for two years, composed of from two to six members from each county, according to population, as ascertained by state or Federal census. Each legislative district in the city

is represented by the same number of delegates as the largest county. Although Baltimore City has nearly half the population and pays considerably over half the taxes of the state, it is seen that her representation is not proportionate to her importance, and a seeming jealousy between the city and the counties makes it doubly difficult, at times, for the former to obtain her desires. The legislature holds biennial sessions limited to ninety days. The state is divided for judicial purposes into eight circuits, each of which elects one member of the Court of Appeals. Baltimore City constitutes one circuit, with ten judges, in addition to the member of the Court of Appeals who does not sit in the courts below. Each of the other seven circuits contains from two to four counties and elects two judges, who are associated in holding court with the member of the Court of Appeals from the circuit, who sits also as chief judge of the circuit courts. The high reputation of the Maryland judiciary has been still further enhanced by the work of such chief judges of the state Court of Appeals as R. J. Bowie, R. H. Alvey, J. M. Robinson, James McSherry and A. Hunter Boyd.

By the constitution, Wicomico county was established on the Eastern Shore with Salisbury as its county seat. In 1872 the extreme western portion of the state was erected into Garrett county, with Oakland as its county seat, and the number of twenty-three counties thus attained has not since been changed.

The Republican party in Maryland struggled to check the march of events, but the Maryland courts decided against their contentions and Congress refused to listen to their complaints. The first election under the new constitution was held in Baltimore on Oct. 23, 1867, and resulted in the election of

the Democratic candidate by a vote of 18,420 to 4,896. Two weeks later the state chose as governor Oden Bowie, the Democratic nominee, by a vote of 63,694 to 22,050, and associated with him an unanimously Democratic legislature.

Noteworthy Events, 1868-1908.

In July, 1868, a noteworthy flood occurred on the Patapsco River and in Baltimore. In autumn of that year the electoral vote of the state for president was cast for Seymour, the Democratic candidate, and in 1869 another unanimously Democratic legislature was chosen. In 1870 the Republicans carried several counties by small majorities in the congressional election, but elected no congressmen. A year later, largely through the efforts of Dr. Lewis H. Steiner, they carried Frederick county, and under his fearless and persistent leadership for twelve years in the legislature the party became an important factor in the state. At the election of 1871, William Pinkney Whyte was elected governor by a majority of 15,000, and the Democratic party continued under his leadership for several years. In 1874 he was chosen United States senator and, accepting the position, was succeeded by James Black Groome, of Cecil county, for the remainder of the gubernatorial term. The legislature of 1872 had, as Speaker of its House of Delegates, Arthur P. Gorman, of Howard county, a man of remarkable astuteness and shrewdness. During the years which followed, as president of the Chesapeake and Ohio Canal, which was controlled by the state in virtue of large investments therein, he built up a remarkable following in the Democratic party, and in 1880 he was chosen by the legislature to succeed Governor Whyte in the United States Senate. From that time to his death in 1906, the control of the Democratic

organization in Maryland was in the hands of Senator Gorman and his friends, and, except for four years from 1899 to 1903, he was continuously in the Senate.

In July, 1872, the National Democratic Convention met in Baltimore and nominated Horace Greeley for the presidency. In November the state chose electors favorable to him by a majority of less than a thousand, so distasteful was his nomination to the conservative wing of the Democrats, while two of the Republican candidates for Congress were elected.

In July, 1873, a destructive fire raged in Baltimore. In the same year the Baltimore & Potomac Railroad was opened and gave a second route from the North to Washington, and the city was traversed by a tunnel which permitted trains to run through it from east to west. In the endeavor to gain southern trade, Baltimore made an investment of a million dollars in the Valley Railroad of Virginia, from which she has had but little return. Some ten years later the Pennsylvania Railroad bought the line from Baltimore to Philadelphia, and the Baltimore & Ohio followed this purchase by building a parallel line to obtain an outlet for its trade.

The one-party state is apt to be one into which abuses creep, and such was claimed to be the condition in Maryland. Objecting to the control of Governor Whyte and his associates, a number of Reform Democrats broke away from their party in 1875, refused to accept the nomination of John Lee Carroll, of Howard county, for governor, and, fusing with the Republicans, nominated a reform ticket, headed by J. Morrison Harris and containing the name of S. Teackle Wallis, a leader of the Baltimore bar, as candidate for attorney-general. A reform ticket was also nominated for the mayoralty election

in Baltimore and was defeated by a small majority. In the gubernatorial election Harris carried the counties, but a large majority returned for the Democratic ticket in Baltimore City was sufficient to elect Carroll. Great frauds were proved, but the face of the returns was accepted as the basis of choice and Carroll was inaugurated. Now began an age-long conflict, which has no parallel in American history. Organizing an association, under the name of the Baltimore Reform League, Wallis and his associates waged a never-ending struggle with the state and City Democratic organizations. Gradually, a large number of independent voters came to hold the balance of power in Baltimore. No independent ticket was nominated and fusion occurred very seldom, but, from time to time, Republican candidates received the support of the Reform League, and that support, frequently, has led to an election. This, in turn, led the Democratic party to nominate men of higher character, and has much improved political conditions.

In 1876 the state swung far over into the Democratic column, electing six Democratic congressmen and casting a majority of nearly 20,000 for the Tilden electors. The Centennial Exposition in that year aroused much interest in the state. July, 1877, saw the most terrible strike of laboring men which Maryland has known. A reduction in the wages of the employees of the Baltimore & Ohio Railroad Company led to rioting and such disturbances that the National Guard were called out and the assistance of Federal troops was asked.

The efforts of the reform element led to the nomination by the Democratic party of William T. Hamilton, of Washington county, for the governorship in 1879, and he was elected by the large majority of 22,000. During his administration a number of im-

portant measures were adopted by the legislature, although that body failed to follow many of Governor Hamilton's recommendations looking towards good government. In 1880 the state's electors voted for Hancock, the Democratic nominee for president. In 1882 the reform element had its first victory in Baltimore City, electing "new judges" by coalition with the Republicans over the old judges renominated by the regular Democrats.

In Baltimore a new city hall had been erected and dedicated in 1875. Some ten years later a Federal building was constructed, and after another decade a splendid municipal courthouse was placed on the square still further to the west. The courthouse was opened in 1900, and, like the city hall, it was built within the original appropriation. A new custom house, somewhat to the south of the city hall, was completed in 1907, and thus the city has a rather unusually excellent civic centre. In October, 1880, the Baltimoreans celebrated, with elaborate festivities, the sesqui-centennial of the city's foundation.

At the conclusion of Governor Hamilton's administration, he was succeeded by Robert M. McLane, of Baltimore. In 1884 Maryland's persistence in voting for Democratic candidates for the presidency was rewarded by the election of Cleveland. He appointed Governor McLane United States Minister to France, and the remainder of the gubernatorial term was filled by Henry Lloyd, of Dorchester county. Maryland's congressional delegation during this decade numbered such eloquent and able men as J. V. L. Findlay, Isidor Rayner and Henry Stockbridge.

In 1887 the Baltimore & Ohio Railroad, which had been thought a remarkably prosperous corporation, ceased to pay dividends, and many citizens who were stockholders suffered severe losses. In 1896

the road went into the hands of receivers: John K. Cowen and Oscar G. Murray. Cowen was an able lawyer and a man of great power, and by the daring issue of receivers' certificates and extensive reconstruction of the road he was able, after little more than three years, to return it to its stockholders under the original charter. He became the first president of the reorganized road, and during his direction of its affairs a tunnel was dug under the city so that there might be direct connection between the lines on the east and west sides of Baltimore.

In 1885 the first electric railway in the United States was opened in Baltimore. It did not prove a success, however, and was soon abandoned. A cable road was opened in 1889 and a trolley line in 1892, and the various lines were thereafter speedily electrified, so that within a decade all street car transportation in Baltimore was by electricity.

The financial interests of the state suffered a shock in 1890, when the defalcation of the state treasurer became known. He had been universally trusted and yet had managed to misappropriate considerably over $100,000 of the state's funds. The loss to his bondsmen was heavy and the incident gave an especial incentive to the founding of bonding companies in Baltimore.

The "belt" of suburban territory to the north and west of Baltimore was annexed to the city in 1888. The spring of the next year saw disastrous floods in western Maryland, which so damaged the Chesapeake & Ohio Canal that it was never afterwards successfully operated, although it was not sold to the Western Maryland Railroad until over fifteen years later.

The Democratic candidate for governor, Elihu E. Jackson, of Wicomico county, was elected in 1887,

and in the next year the state's electoral vote was again cast for Cleveland.

There had long been complaint of intimidation and fraud at elections, especially in Baltimore City, and to prevent the recurrence of such acts an Australian Ballot Law was adopted in 1890. It resulted in much bettered conditions, but being only a partial measure needed considerable improvement.

Frank Brown, of Carroll county, was elected governor on the Democratic ticket in 1891, and in 1892 the electoral vote was cast for Cleveland for the third time. Governor Brown was obliged to call out the militia on account of a strike of coal miners in Frostburg in 1894. The congressional elections, in the fall of that year, showed for the first time a popular Republican majority in the state. This fact gave the party new courage, and in 1895 it nominated one of its best men, Lloyd Lowndes, of Allegany county. The Reform League and many Democrats, such as Governor Whyte, who had become dissatisfied with conditions in their party and in the state, supported Lowndes, and especial efforts were exerted to prevent fraud or intimidation at the polls in Baltimore. The election resulted in the choice of Lowndes as governor by a majority of 18,000. The legislature was Republican on joint ballot, and chose George L. Wellington, of Allegany county, as United States senator, disregarding the Eastern Shore law and recognizing Western Maryland, the strongest Republican portion of the state. The most important measures of the session were the passage of an excellent ballot law prepared by the Reform League (which did away with all intimidation and riot at the polls), and the establishment of the State Geological Survey, whose achievements have been very extensive and of a remarkably high character.

The nomination of William J. Bryan for the presidency by the Democratic party in 1896 was not favorably received in Maryland, where the sentiment in favor of a gold standard was very strong. The Prohibitionists nominated Joshua Levering, of Baltimore City, for president, but his vote was small, and the Republican ticket, headed by McKinley, carried the state by 32,000 plurality, while every Republican nominee for Congress was elected. President McKinley called to his cabinet, as postmaster-general, James A. Gary, who is a prominent manufacturer of Baltimore and who had long been prominent in state politics. In 1897 a legislature was chosen with Republican majorities in both houses, the only time such an event has occurred, and at the Session of 1898, Hon. Louis E. McComas, a jurist of experience, was chosen United States senator, while a new and greatly improved city charter was adopted for Baltimore, coördinating the various departments and vesting large powers over appropriations in a board of estimates.

The same year saw the outbreak of the Spanish-American war. The patriotism of the state manifested itself in the enlistment of two regiments of volunteer soldiers and a battalion of naval militia; but the short duration of the struggle prevented them from engaging in active campaigning. Two of the popular heroes of the war in the regular forces, however, Admiral W. S. Schley and Gen. H. G. Otis, were born in or near Frederick City.

The new charter of Baltimore City went into effect in 1899 with the Democratic party in power, and the same party won the gubernatorial election in the autumn, owing, in large part, to party dissensions, Governor Lowndes being defeated for re-election, by John Walter Smith, of Worcester county. Four years after Governor Smith's retirement from

the governorship he was elected to the United States Senate.

In 1900 the state cast its electoral vote for McKinley for the second time by nearly 14,000 majority. In 1901 Governor Smith called an extra session of the legislature to amend the ballot law and to provide for a state census, since certain frauds, which were afterwards corrected, had been found in the Federal census of 1900. The election law adopted at this session abolished the party columns and emblems from the ballot and marked the beginning of a continuous policy on the part of the Democratic party organization for the suppression of the negro vote. The election of 1901 turned upon the question of approving, or condemning, this election law and certain so-called trick ballots in some of the counties, and resulted in the choice of a Democratic legislature, but in the election of a Republican Clerk of the Court of Appeals and a Democratic comptroller by very small majorities. In recent years the state has shown a tendency to cast its vote for Republican candidates on national issues and for Democratic ones on state issues; thus, in 1902, the Republicans carried Maryland on the Congressional vote; but in 1903 Edwin Warfield, of Howard county, was selected as governor by a majority of 12,000 over Stevenson A. Williams, of Harford county, a strong candidate named by the Republicans.

The period since Governor Smith's election has been one of remarkable construction of public buildings at Annapolis. The United States government has erected a new Federal building there and has reconstructed the Naval Academy at the cost of several millions of dollars. A building for the Court of Appeals and the State Library was erected near the State House, and a very large annex was added to the State House itself in Governor Warfield's ad-

ministration, while the interior of that fine colonial structure was remodeled so to restore its original appearance as far as possible.

An important event was the great fire of Feb. 7, 1904, in Baltimore, which burnt over about 160 acres of ground and destroyed nearly $100,000,000 worth of property. Fortunately, the public officials acted with promptness and decision, and so effectively that no lives were lost and there was no robbery. Fortunately also, the legislature was in session and passed a number of remedial measures, establishing a Burnt District Commission to deal with the difficult problems arising from the fire. The city had recently sold its controlling interest in the Western Maryland Railroad and still had in its treasury the sum received from that sale. This money was used for widening streets and for other improvements, and the spirit of progress urged the city on to the construction of an adequate sewerage system, the development of the public parks and the building of modern municipal wharves to take the place of those which had burned.

In the autumn of 1906 a month's canvass of the city produced subscriptions sufficient to enable the Young Men's Christian Association to erect a new building at a cost of over six hundred thousand dollars.

The legislature of 1904 proposed to the voters a constitutional amendment relating to the suffrage. This amendment is usually known by the name of John P. Poe, Esq., a leading lawyer who framed it, included a so-called "grandfather's clause," and gave considerable discretionary power to the officers of registration. It was opposed by Governor Warfield, the Democratic attorney-general, and many other prominent members of that party, as well as by the united body of Republicans, and was defeated

in the election of 1905 by a majority of 34,000, although a legislature with a Democratic majority was then elected. The legislature of 1904 elected Isidor Rayner as United States senator, and also passed a law known as the Shoemaker Law, designed to promote good roads by lending state aid to their improvement. This movement towards improved roads received a great impetus in 1908, when the legislature voted to issue bonds to the amount of $5,000,000 for that purpose. At the presidential election of 1904, the vote of the state was very close and, by small pluralities, seven Democratic electors and one Republican elector were chosen. Shortly after President Roosevelt's inauguration he called to his cabinet, as secretary of the navy, and later as attorney-general, Charles J. Bonaparte, of Baltimore City, who had long been prominent in reform movements.

The most important measures of the legislature of 1906 were the passage of the so-called Haman Law for oyster culture in the waters of the state, and the sale of the state's holdings in the stock of the Baltimore & Ohio Railroad, by which sale the state's debt was virtually extinguished. A general local option law was introduced, but failed of passage.

In 1907 the Republicans nominated George R. Gaither, of Baltimore City, for governor, and he was defeated by Austin L. Crothers, the Democratic candidate of Cecil county, by about 7,000 majority.

In 1908, the electoral vote of Maryland was again divided, two Republicans and six Democrats being chosen.

Industrial Growth.

Maryland began her career as an agricultural state and her chief city gained her first prominence as a commercial emporium. Agriculture and commerce are still the chief occupations of the citizens

of the state, but mining for coal in the Alleghany mountains, quarrying for building stone throughout western and northern Maryland, and manufacturing of various sorts now diversify the industry of the people. Tobacco is still raised in southern Maryland, grains of various sorts are produced successfully, especially in Frederick, Washington, Carroll and Queen Anne's counties. The neighborhood of large cities has greatly increased the trucking industry in the light soils of the Chesapeake Bay counties and dairy farming in western and northern Maryland. Sufficient areas of woodland still stand so as to make lumbering profitable, and the cultivation of fruit trees furnishes an important occupation. The Bay affords supply of fish, crabs, clams and oysters. The time of many men is occupied not only by the growth, but also by the canning and preservation of fruit and oysters. Baltimore is the chief manufacturing centre of the state and has many establishments engaged in the manufacture of copper and iron, in the weaving of cotton duck, in the making of fertilizers and in the sewing of ready-made clothing, while the ship-building industry at Sparrow's Point on the Patapsco is of considerable importance.

As the Bay afforded means of transportation to ocean-going sailing vessels and to the smaller bugeye or canoe, from the time of the first settlement, so it and its estuaries have now provided routes for many steamboat lines which have made access easy for passengers and freight from various parts of Maryland, Delaware and Virginia to Baltimore. Two railway lines cross the Eastern Shore, connecting with steamboat lines for Baltimore, and, along the centre of that shore runs the railroad from Cape Charles to Philadelphia, a line which is fed by branches touching all the important towns, and

which accentuates the age-long struggle for trade between the emporium on the Chesapeake and that on the Delaware. Across the state, from east to west, runs the line of the Baltimore & Ohio Railroad, the oldest such corporation in America, connecting the state with the south and west. Parallel with it, from Delaware to the District of Columbia, is the course of the lines of its former great rival, the Pennsylvania Railroad. The same road controls the Northern Central Railroad, which gives access from Baltimore, through Harrisburg, to the West and to the Great Lakes. Trolley lines now connect Baltimore, Annapolis and Washington, and a short railroad runs from Baltimore through Harford county into Pennsylvania, while Frederick has connection with York, and Hagerstown has connection with the Shenandoah Valley and with the Cumberland Valley. The most important other road is the Western Maryland. This railroad connected Baltimore and Hagerstown for many years, and recent extensions have led it through Cumberland into West Virginia. The limestone turnpikes of western Maryland have long been famous, and the recent good roads movement, elsewhere referred to, makes the outlook most hopeful for improved transportation throughout the state.

Progress in Education, Etc.

During the period, which is now under discussion, must be assigned Maryland's most conspicuous progress in education. Joseph M. Cushing, of Baltimore City, secured the insertion of a clause in the constitution of 1864, providing for the establishment of a state system of education, and he also secured the appointment of Rev. Libertus van Bokkelen as the first state superintendent. A State Normal School was opened in 1866 and county super-

intendents speedily were at work, organizing the work of instruction throughout Maryland. Henry Barnard's year's service at St. John's College as president, before he was appointed the first national superintendent of education, was too short a time for him to leave much mark, but the long and efficient career of the genial Irishman, M. A. Newell, as principal of the State Normal School, was important for the state. The constitution of 1867 continued the state system, and, after a generation of beginnings, the years in which Cushing was president of the State Board of Education from 1896 to 1903 were characterized by decided advance. A second normal school at Frostburg, a normal department at Washington College in Chestertown, the systematization and strengthening of teachers' institutes, the rise of high schools, the distribution of free school books to pupils, the separation of the superintendency of education from the principalship of the Normal School, and the appointment to the former office of the tactful man, M. Bates Stephens—these are some of the educational achievements of that period. The larger part of the direct tax of the state is levied for schools, and is supplemented by large contributions from counties and city. The system of education in Baltimore City is about forty years older than the state system, is independent of state control and has been greatly improved, in the last few years, under an able, unpartisan school board.

In 1870 the state made its first appropriation for the education of negroes, and in 1908 it established a colored normal school, taking over as its nucleus an institution founded by Cushing and his associates immediately upon the emancipation of the slaves and long in receipt of a subsidy from the state. This policy of subsidizing private educational

and beneficent institutions is so characteristic of Maryland that it is worthy of mention. The building of the Maryland School for the Blind at Baltimore was dedicated in 1868, and other and special features of the state's educational system have been founded since 1865: such as the excellent school for the deaf at Frederick in 1867, the school for colored deaf and blind at Baltimore in 1872, and the work for adult blind in 1908. In 1902 the Maryland State Library Commission began its useful work of aiding municipal libraries and distributing traveling libraries. This period is also filled with new educational enterprises under private management. The McDonough School for the training of poor boys, and Rock Hill College, a Roman Catholic institution at Ellicott City, were opened in 1865. In 1866 the Peabody Institute, the gift of George Peabody to Baltimore City, where its founder once resided, began its important career as a great reference library, a seat of public lectures, a hall of art and a conservatory of music. In 1867 the Jesuits opened their theological seminary at Woodstock and the Redemptorists theirs at Ilchester, while the Methodists began a training school for colored men in Baltimore, which later developed into Morgan College. In 1868 the Methodist Protestant Church opened its successful Western Maryland College at Westminster, beside which college the church placed its theological seminary in 1882.

The greatest stimulus to education came, however, from the foundations established by Johns Hopkins, a Baltimore banker, whose estate of about seven million dollars, after his death in December, 1873, was equally divided between the university and hospital which bear his name. The university was the first to open its doors, inaugurating as its first president, that renowned educator, Daniel C. Gilman, in

1876. He remained at its head for twenty-five years and was succeeded by the noted chemist, Ira Remsen, who had been a professor at the university from its opening. President Gilman's policy was to establish an institution which should lay its chief emphasis upon systematic graduate instruction leading to the degree of doctor of philosophy. He instituted a system of fellowships for the encouragement of original research and caused the physical sciences to take a more prominent place than they were wont to do in other American universities. The professors were carefully selected and arrangements were early made for the establishment of a university press, through which the results of the research of professors and students might be made public. It was found necessary to have an undergraduate department, but, as no dormitories were provided for it, its students have been chiefly those residing in Baltimore or its vicinity. The undergraduate institution was arranged in a three-years' curriculum, with the courses combined into several groups, following in general the method which President Gilman had used while he was director of the Sheffield Scientific School at Yale. The reputation of the university spread with a perfectly astonishing rapidity. There was a widespread demand in the United States for carefully arranged graduate courses, and the Johns Hopkins both met and stimulated it. The Johns Hopkins Hospital was opened in 1889 and arrangements were at once made to add a medical school to the university. After careful thought and the selection of eminent men to fill the several chairs, the school was opened in 1893, and from the very first took a front rank among the medical schools of the world. Its standards have been very high and it was the first medical school in America to demand of every one

entering its walls a bachelor's degree from some college.

Professional education has flourished greatly in Baltimore since the close of the war. The University of Maryland had conducted a medical school since 1807 and continues to preserve its high position. In 1882 it established a dental school, and in 1904 it annexed the Maryland College of Pharmacy, while the faculty of law, reorganized in 1869, has conducted a highly successful practical school, at which the instructors have been the leaders of the bench and bar of the city. Just before celebrating its centennial in 1907, the university added St. John's College at Annapolis, founded in 1784, as its department of arts and sciences. Among the independent medical schools which have flourished in Baltimore during our period have been the College of Physicians and Surgeons, founded in 1872, and the Baltimore Medical College, founded in 1882, while the Baltimore University School of Law, founded in 1890, and the Baltimore Law School, founded in 1900, have trained with care a considerable number of legal practitioners. The establishment of state examining boards in law and medicine has done a great deal to elevate the standard of these professions. Although many educational institutions must be omitted, reference is necessary to the great success of the Maryland Institute Schools of Art and Design, under the presidency of Joseph M. Cushing and the directorship of Otto Fuchs. Although its building was destroyed by fire in 1904, and its two great supporters died about the same time, it found other able leaders and friends, and now, reëstablished in two fine new edifices and subsidized by both city and state, it is able to do a more efficient work than ever before.

In 1882 Enoch Pratt, a wealthy merchant and

financier of Baltimore, offered to give the city about eleven hundred thousand dollars for the establishment of a public circulating library. He intended that the whole city be served by the library, which should comprise a system consisting of a central building and branches in different localities, and asked that the institution bear his name and that the city support it with an annuity of $50,000. The city accepted the gift, the buildings were erected, Dr. Lewis H. Steiner was called from Frederick to organize the library, and it was opened in January, 1886. In the twenty years which followed, it clearly demonstrated its extensive usefulness and justified the generosity of its founder.

Latest of all the important educational institutions of Baltimore came the Woman's College, founded by the Methodist Episcopal Church in 1884, and opened four years later. During the most of its existence it has been under the able presidency of Rev. Dr. J. F. Goucher, whose generous donations to it have been very considerable, and it has attained a widespread reputation as giving a well-balanced and thorough culture to women.

Jacob Tome, a wealthy citizen of Port Deposit, in 1889 endowed the secondary school which bears the name of Tome Institute and is situated at his residence. Owing to the fact that Mr. Tome left it several million dollars, the institute has been able to maintain, with great success, a boarding school for boys and day schools for both sexes. About 1890, the Reformed Church in the United States took possession of the old buildings of the Female Seminary at Frederick and established therein a school of high order for girls. We have devoted thus much space to educational matters because in no other way has the progress of Maryland been more marked during the past forty years.

In the line of charities and correction, great progress has also been made. At the very beginning of our period was held the great Southern Relief Fair for the aid of the former slaveholding states, and the whole period has been marked not only by beneficent acts, but by systematic development of organized charity. In Baltimore City the Charity Organization Society and the Association for the Improvement of the Condition of the Poor, after a period of effective separate work, have united themselves for greater effectiveness in the Federated Charities. A house of correction for short-term prisoners was opened at Jessups in 1877, and a long and wise wardenship of the penitentiary has resulted in that institution returning a revenue to the state, while the moral character of the convicts has been much benefited by the treatment received while incarcerated and by the efforts of the Prisoners Aid Society. The character of the county jails still leaves much to be desired, however, and, to Maryland's disgrace, she still postpones providing for all her insane and feebleminded in state institutions, though excellent care is given to those who can be received in the institutions already established. Training of the feebleminded was begun in 1889, and an excellent institution is maintained at Owings Mills, but is not able to accommodate all who need its care. A State Board of Aid and Charities was established in 1900, but has not yet attained to the desired stage of efficiency.

Religion.

In religious matters, the development has been steady. The Roman Catholic Church, under the statesmanlike direction of Archbishops Spaulding and Bayly and Cardinal Gibbons, and the Lutheran churches have handled admirably the problems of

assimilating immigrants. The Methodist churches have been active and retain their numerical predominance among Protestant denominations, while the work of the Baptists and Presbyterians, and of the Protestant Episcopalians forcefully led by Bishop Paret, has been noteworthy among the forces that make for righteousness. A large Hebrew immigration from the east of Europe has diversified considerably the population of Baltimore City.

In general, the history of Maryland since 1865 has been one filled with achievement and with such a spirit as to make one hopeful as to the future and confident in the determination of the people to make the state embrace its opportunities and advance to a high position among American commonwealths.

BIBLIOGRAPHY.—Brackett, J. R.: *Progress of the Colored People in Maryland* (1890); Forrester, A. E.: (comp.) *City Hall of Baltimore* (1877); Gilman, D. C.: *Launching of a University* (1906); Gambrill, C. M.: *School History of Maryland* (1903); Hollander, J. H.: *Guide to Baltimore* (1893); Hollander, J. H.: *Financial History of Baltimore* (1899); Howard, G. W.: (ed.) *Monumental City* (1889); *Maryland Geological Survey Reports* (1897–1908); Maryland Historical Society: *Report on the Western Boundary of the State*; McSherry, James: *History of Maryland*, continued by B. B. James (1904); Nelson, S. B. (comp.): *History of Baltimore* (1898); Passano, L. M.: *School History of Maryland* (1900); Riley, E. S.: *Ancient City (Annapolis)* (1887); Riley, E. S.: *Legislative History of Maryland* (1906); Schultz, E. S.: *History of Free Masonry in Maryland*, 4 vols. (1884–88); Scharf, T. J.: *Western Maryland* (1882); *History of Maryland*, Vol. III. (1897), *Baltimore City and County* (1881), and *Chronicles of Baltimore* (1874); Sioussat, St. G. L.: *Baltimore* (1900); Spencer, E. (ed.): *Baltimore's Anniversary*, 1730–1880 (1881); Steiner, Bernard C.: *Citizenship and Suffrage in Maryland* (1896), *Life of Reverdy Johnson* (1908), *History of Education in Maryland* (1894), and *Institutions and Civil Government in Maryland* (1899); Whealton, L. N.: *Virginia Boundary of Maryland* (1906); Williams, T. J. C.: *Washington County* (2 vols., 1906).

BERNARD C. STEINER,

Librarian, The Enoch Pratt Free Library; Associate in History, Johns Hopkins University.

THE HISTORY OF KENTUCKY.

Chapter I.

KENTUCKY A PART OF VIRGINIA, 1606—1792.

Finding of Kentucky.

THE early explorers of this continent gave the name of Virginia to all that vast region lying along the Atlantic coast and of undefined boundary on the west, which, in the era of territorial acquisition in the New World, was claimed by England.

On April 10, 1606, the first English charter for the establishment of colonies in North America was signed by King James I. This grant provided for the founding of two colonies, but for the purposes of this article one only, the "Southern," need be mentioned. It was to be planted anywhere between 34 and 41 degrees of N. latitude, and to extend fifty miles north and fifty south of the spot first chosen for settlement, and fifty miles inland.

In 1609 this charter was amended and the boundaries of the colony enlarged. They were to extend 200 miles north and 200 miles south of Old Point Comfort, at the mouth of the James River, and "up into the land from sea to sea."

Col. Reuben T. Durret in his address delivered June 1, 1892, at the celebration of the centenary of

Kentucky, furnished an exhaustive and interesting account of the explorations beyond the mountains.

"Two explorers," he said, "of different nationalities, but in pursuance of the same wild hope of a waterway across the continent to the Pacific, discovered Kentucky almost at the same time. They were Capt. Thomas Batts, a Virginian of whom nothing but this discovery is known, and Robert Cavalier de La Salle, whose explorations in America made him known in both hemispheres . . . In 1671, Gen. Abraham Wood, by the authority of Governor Berkeley, sent Capt. Thomas Batts with a party of explorers to the west of the Appalachian Mountains in search of a river leading to China. The journal of their route is rendered obscure by meagre description and the changes of the country and the names since it was written, but it is possible that they went to the Roanoke, and, ascending to its head waters, crossed over to the sources of the Kanawha, which they descended to its falls. Whether they wandered southward to the Big Sandy and crossed over into Kentucky we cannot determine from their journal; but whether they did so or not, they were in that part of Virginia of which Kentucky was a part, and their discoveries would open the way to the one as well as to the other.

"Less doubtfully connected with the discovery of Kentucky is the name and fame of La Salle, one of the greatest explorers of the Seventeenth century. . . . At the age of twenty-three he came to America to devote his great enthusiasm and indomitable energy to the solution of the problem of a great transcontinental river running towards China. . . . In 1669 some Seneca Indians hastened his plans by telling him that there was a river that rose in their country and wound its way southward and westward to the distant sea. This was evidently extending the Alleghany, the Ohio, and the Mississippi into one great river, and it so fired the imagination of La Salle that he at once began preparations to explore it. He entered the Alleghany by a tributary near its source, and followed it and the Ohio through the wild forests on their banks until he reached the falls where Louisville now stands. In making this long journey he was the discoverer of Kentucky from the Big Sandy to the rapids of the Ohio."

Almost another century elapsed after the discoveries of Batts and La Salle before authentic information about this territory was obtained. In July, 1749, the Virginia Council authorized the Loyal Company to enter and survey 800,000 acres of the public lands of Virginia, upon which families should be settled. These lands were to be located north of the line dividing Virginia and North Carolina, and to extend westward. Dr. Thomas Walker was selected by the Company to locate these lands.

With a party of five men he began his journey into the wilderness on March 16, 1750. Having crossed the valleys of the Clinch and Powell rivers, as they were afterwards called, he came to that branch of the Appalachian range which he named, and which is now called, the Cumberland Mountains. He bestowed the same appellation on the river flowing along its northwestern slope. Skirting the mountains to find an opening, he entered what is now Kentucky through Cumberland Gap.

Ascending the Cumberland River to a point near the site of the present town of Barbourville, Walker erected on the northwest side of the river a log-house twelve by eight feet in dimensions, which he hoped would be the headquarters of a future settlement. Clearing a small plot of ground around this cabin, he planted corn and peach stones. This little cabin was finished April 15, 1750, and "was," says Colonel Durrett, "the first house built in Kentucky by white men."

The Ohio Company had also been authorized to locate 500,000 acres on both sides of the Ohio River and settle families thereon. Christopher Gist was appointed its agent to select these lands. He entered the designated territory at a point opposite the mouth of the Scioto on March 13, 1751, ascended the Licking River, crossed to the headwaters of the Kentucky and came out by way of Cumberland Gap.

The time, however, was unpropitious for such enterprises and neither company was a financial success. The Loyal Company surveyed 201,554 acres of its grant, and was allowed title to 45,390 acres. The Ohio Company located 200,000 acres on the Licking River, but the scheme to settle families on these lands failed utterly. The French and Indian War, the King's proclamation, issued in 1763, forbidding settlement on lands beyond the

sources of rivers flowing into the Atlantic Ocean, and finally the Revolutionary War effectually interfered with it.

But the time was coming when a very different character of exploration was to be inaugurated. The day of curious or scientific exploration, or that attempted in the interest of chartered companies, intent on "gainful" investment, was past. Men like Walker and Gist were to be succeeded by men like Boone and Kenton. Henceforth the wilderness was to be penetrated, as it was finally to be conquered, by the hardy and adventurous "pioneer." White men, almost as restless and tameless in temper as the Indian himself, were about to enter the forests of this much-coveted region. This class of explorers meant really to settle; to clear away a part of the dense woodland and make themselves abodes; and they sought fertile lands and pleasant waters, so that plenty and comfort might dwell with them in their future homes. But they were hunters rather than husbandmen; they expected to live rather by the chase than by the cultivation of the soil. An abundance of game was the chief desideratum, and their first duty the defense of themselves and families against the savage. Originally their habitations and the "stations"—the small collections of cabins established for mutual protection—were widely separated. But immigration poured in with a rapidity which, under the circumstances, was marvelous; so that in less than a quarter of a century after actual settlement began the population was sufficiently numerous to form another commonwealth to be admitted into the Union.

The inevitable conflict between France and England for supremacy upon this continent was at hand —the struggle that was to determine which should rule it and the character of its future institutions.

England was looking inland from the frontiers of her colonies along the Atlantic coast, and claiming an immense realm, comparatively little of which had been explored. The people of those colonies felt in full vigor the spirit which had impelled their fathers to seek fortune and empire beyond the seas. The ancestral instinct of emigration had been strengthened and stimulated by generations of life in the New World.

The Crown and the councils might strive to confine its manifestations within certain limits, but royal proclamations were of slight avail against an impulse as general as it was natural. Not even a king's edict could hold back the host of dauntless "Knights-errant of the Woods," whom neither danger nor distance, toil nor any hardship could appal.

While French settlement in North America was begun even earlier than the English, the French evinced neither such aptitude for the work of colonization, nor the same energy and persistency in its prosecution as did their rivals. In 1542, soon after Cartier had sailed along the mainland of Canada and into the estuary of the St. Lawrence, Roberval established the first French settlement. Quebec was not founded until 1608. Immigration to these colonies was slow, and when, in 1754, the final grapple between the rival powers came, the total number of white inhabitants in the French possessions in America was less than 100,000, while the English colonies numbered more than 1,000,000.

Nevertheless France entertained the hope of complete dominion upon the continent, and at an early date prepared to secure military control of it.

In 1673 Marquette and Joliet descended the Mississippi River to the mouth of the Arkansas. The geographical information furnished by Mar-

quette's expedition turned La Salle from his chimerical quest for the river flowing to China to one worthier of his genius and enthusiasm. He conceived the idea of establishing French rule and directing French immigration throughout the vast territory lying along the Mississippi and its tributary waters. In 1678 he was commissioned to complete the explorations begun by Marquette. He followed the great stream to its mouth and reached the Gulf of Mexico in the spring of 1682.

The almost boundless domain stretching the entire length of the Mississippi and extending to the mouth of the St. Lawrence was now christened New France, and France made ready to maintain her claim to that part of it which would certainly be disputed.

A chain of French forts and military posts was established at points of immediate strategic value, but apparently future commercial possibilities were considered in their selection. Important cities—Toledo, Detroit, Fort Wayne, Vincennes, Natchez—have been built on the sites so chosen.

The surveys made by the Ohio Company, and which were deemed an intrusion into French territory, probably precipitated hostilities. Regular troops were employed on both sides in this war, but the larger number of the combatants were the Indian allies of the French and the British colonial militia. The war terminated in 1760 with the fall of Quebec and Montreal, and France was compelled to surrender all the disputed territory and both the Canadas.

Settlement of Kentucky.

The people of Virginia and North Carolina now looked with greater longing on the rich, unoccupied lands along their western borders, and those who came "came to stay." But a grave and imminent

danger now menaced the immigrant. The peace concluded between the two great powers did not bind and had no meaning for the white pioneers who desired, and the red warriors who claimed, and, in rude fashion, possessed this region.

The Delawares, Mingoes, Wyandottes and Shawnees, who dwelt north of the Ohio, and the Indians inhabiting the country farther to the south, the most numerous and powerful of whom were the Cherokees, all jealously guarded this territory as a valuable hunting ground and fiercely resented the presence of the whites.

In 1767 Michael Stoner and James Harrod, the latter one of the most striking figures of the pioneer period, entered Kentucky, and in the same year John Findlay with two or three companions hunted over much of the northern part of it. Upon his return Findlay gave so glowing an account of the wonderful fertility of the country that he enlisted in the ranks of its explorers the man destined to be the most famous and useful of them all.

Daniel Boone came of good strong English stock. His grandfather emigrated in 1717 with his wife and eleven children to Pennsylvania. In 1748, when Daniel was yet a youth, his father, Squire Boone, removed to North Carolina and located at Holman's Ford on the Yadkin River. From his earliest boyhood Boone evinced the roving and adventurous disposition and the love of the wild wood which characterized him throughout his life. He married Rebecca Bryan about 1755, but even after he became a husband and father the life of the hunter and the pleasures and the perils of the wilderness irresistibly attracted him.

He had already grown dissatisfied with the increase of population and diminution of game in his settlement on the Yadkin, and Findlay's description

DANIEL BOONE.

of the magnificent and untenanted region whence he had just come determined Boone upon the career which has indissolubly connected his name with that of Kentucky and with the history of the great West.

The popular idea of Boone is largely a mistaken one. The romance with which the life and memory of the old backwoodsman is surrounded makes it difficult to correctly observe or justly estimate him. Some who admire but know little about him believe that he was the first explorer of Kentucky. Others with better excuse, yet unjustly, think he was a mere hunter, a kindly, well-meaning vagrant. He was, in fact, a man of strong character, unusual sagacity and clearly defined purpose. His judgment in all matters within his knowledge was singularly accurate, and he perfectly realized that he was assisting to found a commonwealth.

He had in greater degree than any of his compeers the qualities necessary to cope with the situation. Kenton, more recklessly daring, was nearly his equal in woodcraft and knowledge of Indian character and customs. Harrod and Logan were as courageous and resolute, and as prompt to aid the distressed, or risk life in behalf of an imperilled comrade; but all contemporary evidence compels us to believe that Boone was first among them.

On May 6, 1769, Boone, Findlay and four others began their journey to the "land of promise," as they had come to regard it. Traveling by the necessarily circuitous route through the mountains, a month elapsed before they reached Cumberland Gap, and on June 7 Boone gazed for the first time on Kentucky.

He remained for nearly two years, traversing and becoming acquainted with the greater part of central Kentucky. He was made prisoner by the Indians during this period, an experience repeated

more than once afterwards; but with his companion in captivity, John Stewart, escaped after a week's detention. His brother, Squire Boone, sought and found him in the depths of the forest, and these two only, of the entire party, passed safely through the multitude of perils which encompassed it. Boone returned to North Carolina in March, 1771, but firmly resolved to make his future home in Kentucky.

In 1773 surveys were made in Kentucky by Thomas Bullitt, Hancock Taylor and the McAfees, and in 1774 by Floyd, Douglas and Hite. In 1773 Bullitt surveyed the land on which the city of Louisville now stands. In 1774 James Harrod built a number of cabins for his party of men, which was the beginning of the present town of Harrodsburg, and in April, 1775, Boone came with twenty men and built the fort on the Kentucky River at Boonesborough, where Henderson joined him with thirty others. No white woman or child had ever been in Kentucky until Boone's family arrived in the following September, and shortly afterwards came the families of Hugh McGary, Thomas Denton and Richard Hogan.

No writer has given a more graphic description of the early pioneer life than this one by Durrett:

"The first inhabitants of Kentucky, on account of the hostility of the Indians, lived in what were called forts. These structures were simply rows of the conventional log cabins of the day, built on four sides of a square or parallelogram, which remained as a court or open space between them. It served as a playground, a muster-field, a corral for domestic animals, and a store-house for implements. The cabins which formed the fort's walls were dwellings for the people, and contained the rudest conveniences of life. The bedstead consisted of forks driven in the dirt floor, through the prongs of which poles extended to cracks in the walls, over which buffalo skins were spread for a mattress and bear skins for covering. The dining-table was a broad puncheon, hewn smooth with an adze, and set on legs made of sticks inserted in auger holes. The chairs were three-legged stools, and the table furniture consisted of wooden plates, trays, noggins, bowls and trenchers, usually turned out of the

buckeye. The fireplace occupied nearly one whole side of the house; the window was a hole covered with paper saturated with bear's grease; and the door, an opening over which hung a buffalo skin. Near the door hung the long-barrelled flint-lock rifle on buck's horns pinned to the wall, and from which it was never absent except when in use. In these confined cabins whole families occupied a single room. Here the women hackled the wild nettle, carded the buffalo wool, spun the thread, wove the cloth, and made the clothes. The men wore buckskin hunting shirts, trousers, and moccasins; and the women linsey gowns in winter and linen in summer. Such a life had its pains, but it also had its pleasures. Of evenings and rainy days, the fiddle was heard, and the merry old Virginia reel danced by both young and old. A marriage, that sometimes united a boy of sixteen to a girl of fourteen, was an occasion of great merriment. When an itinerant preacher came and favored them with a sermon two or three hours long, it was also a great occasion. A young man might have difficulty in making his sweetheart understand all he wished to say in a small room filled by the members of her family, but, when essential, it was easy to remove the discussion to the open space. The shooting match, foot-race, wrestling, jumping, boxing, and sometimes fighting afforded amusement out of doors, and blindfold, hide and seek, quiltings, knittings, and candy pullings often made the little cabins merry. The corn-field and vegetable garden were cultivated within rifle range of the fort, and sentinels stood guard while the work went on."

In 1775 immigration began to flow in, and although it was occasionally arrested, even for brief periods turned back, the country was settled with remarkable rapidity. Yet the conditions might have altogether deterred a people of less nerve. "Lord Dunmore's War" had maddened the Indians north of the Ohio to implacable fury. Although the Delawares, Shawnees and Wyandottes were completely defeated at Point Pleasant, the whites had also suffered severely. The subsequent ruthless devastation of the Indian villages in the Scioto Valley made real peace between the two races impossible.

At this time a remarkable episode in the history of Kentucky occurred—something which might be classed with the colossal enterprises of to-day. Richard Henderson and eight other citizens of North Carolina organized the Transylvania Company, and without pretense of authority—indeed,

in violation of the known policy and express command of both royal and colonial authority—purchased from the Southern Indians a great part of the most fertile territory of Kentucky.

On March 17, 1775, those gentlemen met a number of the Cherokee chiefs at Wataga, in North Carolina, and took from them a deed to a tract of land which began at the mouth of the Kentucky River, running with that stream to its source, thence following the crest of the mountains to the source of the Cumberland, thence down that river to the Ohio, and thence up the Ohio to the beginning. In this tract were nearly 20,000,000 acres.

The consideration, expressed, for this immense concession was £10,000 sterling. In reality, the Indians received ten or twelve wagon-loads of cheap goods and trinkets and a supply of "fire water."

The audacity of this transaction may be conceived when it is remembered that the colonies claimed these lands under the royal grants, and Virginia had already passed acts forbidding the purchase of lands from the Indians by private individuals. Lord Dunmore issued his proclamation denouncing all concerned in it as disorderly persons who should be deprived of their pretended purchase and punished if they persisted in asserting title. Governor Martin, of North Carolina, made similar proclamation.

Nevertheless the scheme was at first popular with the settlers, and seemed for a short time destined to succeed. Henderson, on the part of the proprietors of the colony, opened a land office at Boonesborough, and in a few months issued warrants for 560,000 acres. He proposed to establish an independent government, and with that end in view called a convention which met at Boonesborough on May 23.

Kentucky a County in Virginia.

The population of the four stations of Boonesborough, Harrodsburg, Boiling Springs and St. Asaphs (Logan's Fort) was then perhaps 200. These stations sent delegates to the convention, which assumed legislative functions and during its session of five days passed a number of bills. Henderson appointed both civil and military officials.

All of these proceedings were, of course, annulled by the General Assembly of Virginia; but as an equitable compensation for the expense incurred and their efforts to promote immigration Virginia and South Carolina each granted Henderson and his colleagues 200,000 acres of their public lands.

The number and population of the stations rapidly increased, and in 1776 the demand for their organization into a separate county became general and pressing. The inconvenience of having to seek distant tribunals for an administration of law, and the necessity of a county court, justices of the peace and a sheriff were urged by the settlers and recognized by Virginia. Until this date all of the public and unoccupied lands of Virginia—an immense area—were included in the county of Fincastle. The legislature passed an act Dec. 31, 1776, dividing Fincastle into three counties, one of which was called Kentucky. This county comprised the same territory which subsequently became the state of Kentucky. It elected burgesses to the General Assembly of Virginia in April, 1777, and the first court held in it was at Harrodsburg in September of that year.

In May, 1780, Kentucky county was subdivided into the three counties of Jefferson, Lincoln and Fayette. In 1784 Nelson county was formed out of part of Jefferson. In 1785 Mercer and Madison counties were formed out of parts of Lincoln, and

Bourbon out of part of Fayette. In 1788 Bourbon was divided and Mason county made of the part subtracted, and in the same year Woodford county was formed of territory again taken from Fayette. These nine counties constituted the commonwealth of Kentucky when she was admitted into the Union in 1792.

Indian hostility to the Kentucky immigrant, always dangerous, was displayed more frequently and actively toward the close of the year 1776. The Indian hated the actual settler as his immediate dispossessor, the man whom he saw in possession of the land he claimed. Moreover, a power once used to protect the settler was now turned against him. When the American colonies renounced and defied the royal authority, English influence, instead of being exerted to restrain, was employed to incite the red savage to ferocious warfare. Armed and encouraged by the British commanders, the warriors of the tribes north of the Ohio repeatedly entered Kentucky and attacked the settlements.

These demonstrations were so continuous and numerous during the years 1777 and 1778 that the settlers, harassed to the limit of endurance and almost reduced to despair, seemed about to give up the struggle and quit the field. The abandonment of every widely separated cabin was compelled; no man dared to live outside of the protection of the stockade. The daughters of Boone and Calloway were made prisoners within sight of Boonesborough. Every station was constantly menaced and at some time assaulted. The important ones were more than once regularly besieged by forces, which, compared numerically with the garrisons, might be termed formidable. Boonesborough was twice so beleaguered, at one time for thirteen days in September, 1778, by Duquesne with eleven French-

GEORGE ROGERS CLARK.

men and 400 Indians under Blackfish. Boats plying on Salt River and other streams were captured and their crews massacred, and tradition teems with stories of bloody combats and deadly duels fought in the shades of the forest.

Kentucky's Part in the Revolutionary War.

That the Kentucky settlers should have been able to maintain their ground in such straits seems almost incredible. It was due first to their own courage and indomitable purpose, but must be also largely attributed to the energy, sagacity and genius of George Rogers Clark. Clark was born in Albemarle county, Virginia, and was not quite twenty-three years old when he came to Kentucky in 1775. His occupation was that of land surveyor, but he had already evinced military aptitude, having served with credit as captain of a company in the Dunmore War. He remained but a brief time on his first visit, but must have made a favorable impression, for soon after his return in 1776 he and Gabriel Jones were delegated by a general meeting held at Harrodsburg to represent to the Virginia authorities the condition of affairs in Kentucky and ask effective aid.

Clark's chief characteristics were a remarkably shrewd, sound judgment, daring enterprise and a faculty of prompt decision, with that magnetism which wins affection and commands obedience. He had in marked degree the physical traits as essential to leadership among the rude, fighting backwoodsmen he was to command as any mental or moral superiority. He was more than six feet in height and very strong, agile and enduring.

Clark was unquestionably the first to realize the only policy that promised safety. He saw that these isolated communities so few in number, scanty in

population and distant from support must succumb if the attacks of the Indians were systematically continued. He discerned more clearly than anyone else that behind the Indian was an influence which controlled his wild nature and could give methodical direction to his hostility. In only one way could the ultimate and certain destruction of the settlement be averted. That was to strike the beast in his lair; teach him that he, too, was vulnerable, and above all eliminate the influence which was inciting his incursions. In this way Indian aggression might be minimized and rendered less dangerous, and the settlements obtain some respite until they were strong enough to protect themselves.

A plan based on this idea was submitted by Clark to the Virginia officials and was unanimously approved, receiving the hearty endorsement of Patrick Henry and Thomas Jefferson. Every encouragement and some material aid—all that could be afforded—was given. Virginia authorized the expedition suggested by Clark against the British posts in the northwest, especially in Illinois county, and furnished 500 pounds of powder and a small sum of money to purchase supplies. Clark was given the commission of major and empowered to recruit troops for the expedition.

On May 27, 1778, he assembled the men enlisted, numbering about 150, at the falls of the Ohio. This force was composed of four companies commanded by captains Joseph Bowman, Leonard Helm, William Harrod and James Montgomery. Simon Kenton accompanied the expedition as hunter and scout.

On June 24 Clark, placing his men on boats, descended the Ohio to a point on the Illinois shore nearly opposite the mouth of the Tennessee River. Thence he marched about 100 miles through prairie

and forest uninhabited to Kaskaskia. He surprised and took that village and the fort near by on the night of July 4. Two days later Captain Bowman, sent with a small detachment to Cahokia, took that place. Vincennes surrendered August 1. Three of the principal English strongholds, hotbeds of Indian hostility, had fallen. Clark, however, was unable to adequately garrison these places, and relying on the friendship of the French inhabitants only one man besides Captain Helm was left at Vincennes. That place was retaken in December by Governor Hamilton, the British commandant of Detroit. Late in the following month a Colonel Vigo, of St. Louis, who was a friend of the American cause, brought Clark the news. He also informed him that Hamilton had only eighty men but expected to be strongly reinforced in the spring, when he intended to march into Kentucky with overwhelming forces. Clark had every reason to credit this intelligence, and at once proceeded to act upon it. His small command was widely dispersed, and it was necessary to collect some supplies.

It is difficult in this day of easy, rapid communication and quick transportation to understand the difficulties which delayed such movements then. But on February 7, only nine days after he had been informed of its capture, Clark was on his way to recapture Vincennes. Hamilton believed himself secure. It was the midwinter season. The floods of the many streams had converted the region about Vincennes, and over which any enemy must march, into one alternately of quagmires and ice fields. But he was matched against no common antagonist.

Clark mounted upon a large flat boat two four-pounders, manned it with a company of forty-five men and sent it up the Wabash to the mouth of the White River to prevent any aid coming to Hamilton

from that direction. Two companies of gallant French allies, raised at Cahokia and Kaskaskia and added to his Kentuckians, made the force under his own command 170 men.

That march to Vincennes had no parallel, even in those days of hardship, for extreme privation and suffering cheerfully undergone. For days the men waded shoulder deep through the icy waters, and rested at night on any little hillock which rose above the miry or frozen surface. They carried no rations, game was scarce, and it was difficult to light fires with which to cook the scanty food procured. The iron fortitude and endurance of leader and men were tested to the utmost. Clark appeared before Vincennes on February 24 and immediately began the siege. Hamilton sought to parley, but his overtures were sternly rejected and he surrendered on the 25th.

There can be no doubt that the result of these operations was to perfectly verify Clark's anticipation. The first effect was to inspire the settlers with fresh hope and courage, and to furnish a new stimulus to immigration. There was, also, during the remainder of the year and until the summer of 1780 a marked diminution in the frequency of the Indian raids, while the number of the settlers was increasing. They came not only by the "wilderness road" through Cumberland Gap, but down the Ohio. Collins states that "no less than three hundred large family boats, filled with immigrants, arrived at the Falls of the Ohio" in the spring of 1780.

There is reason to believe that when hostilities were actively renewed in 1780 the Indians were less audacious than before Clark had delivered his blow. He continued his offensive-defensive policy, and in May, 1779, sent Bowman into Ohio to attack the Indian towns.

Nevertheless, in June, 1780, Colonel Byrd of the English army with 600 Indians and Canadians came down the Miami Valley and the Ohio River and entered Kentucky by the Licking. He captured Ruddle's and Martin's stations, and retreated without further demonstration. The following month Clark with the men under command of Logan and Linn made a sharp retaliatory campaign into Ohio, destroying the most important villages of the Miami and Scioto valleys.

The settlers suffered severely in 1782, but had grown too strong to feel serious apprehension. This was the year of "Estill's Defeat," when twenty-five Wyandotte braves beat an equal number of whites in fair battle. In August of that year nearly 600 Indians, led by the renegade Simon Girty, besieged Bryan's station for three days. On this occasion occurred that heroic incident of the women going outside of the fort for water sorely needed, although they knew the Indians were in ambuscade near the spring whence it must be obtained. The garrison repulsed their assailants and they retreated, pursued by 182 men hastily collected from the nearer stations; but turning on their pursuers at the Blue Licks, August 19, the Indians defeated them with heavy loss. Boone's son was killed in this battle.

Clark had been appointed brigadier-general to command all of the Kentucky militia. Prompt and indefatigable he instantly began preparations for a campaign which should avenge the latest disaster, and teach his red foes a lesson they would remember. Collecting more than 1,000 men under Floyd, Logan and other excellent subordinates, he again invaded Ohio. The damage inflicted by this expedition and the withdrawal of English aid and encouragement following the negotiations for peace

between the colonies and Great Britain, about the same date, put a stop to Indian incursions into Kentucky in large numbers; but depredations and murders by small parties continued for some years longer. It is estimated that more than 3,000 of the settlers were victims of this savage warfare in the first decade of Kentucky history.

In 1783 Kentucky was constituted one judicial district, and John Floyd, Samuel McDowell and George Muter were appointed judges. The first session of this court was held at Harrodsburg in March of that year.

Steps to Statehood.

John Filson, the first historian of Kentucky, estimated that in 1784 the population was 30,000. At any rate it was large enough to justify an application to Virginia for an independent state government.

Reasons similar to those which had urged the settlers to ask that a separate county be created now induced them to desire that Kentucky should become a separate commonwealth. One such reason had become more potent. The peace with Great Britain had not caused a cessation of Indian hostility, and the Kentuckians lacked the official machinery necessary to furnish means for their proper defense.

In the fall of 1784 Col. Benjamin Logan received information which induced him to believe that the southern tribes of the Tennessee valley were preparing for an invasion of Kentucky. It occurred to him, as to every other experienced Indian fighter, that the most effectual method of preventing such an incursion was to anticipate it by an expedition directed against the Indians themselves.

He therefore invited a number of the most public-spirited citizens to meet him at Danville, that they

might consult and adopt measures necessary to such an undertaking. But it immediately became apparent that no one in Kentucky had authority to order such an expedition, to call the militia into active service, or in any way to inaugurate offensive measures. There was no authority even to provide ammunition and supplies for the use of the militia.

Realizing their impotent condition and the dangers liable to result from it, those who attended this meeting called by Logan recommended that a convention should be held which might devise some remedy. It was to consist of one delegate from each military district—or militia company—and was called to meet at Danville Dec. 27, 1784. This was the first step in the tedious and protracted process by which Kentucky finally became separated from Virginia and an independent state.

It does not appear that the free navigation of the Mississippi and the right of others than citizens of Spain to deposit produce at New Orleans for exportation, matters which were subsequently of absorbing interest to Kentuckians, were considered at this date. The importance of such concessions were doubtless realized even then, and the failure of the general government to obtain them afterwards created intense dissatisfaction. The subject was publicly discussed at Danville as early as 1787, and in the same year Guardoqui, the Spanish minister to the United States, let it be understood that he had authority to grant to the people of Kentucky the navigation of the Mississippi and all privileges of exportation, if they would declare their severance from and independence of the government of the United States. But there is no evidence that this question influenced the effort for statehood in 1784.

The convention of Dec. 27, 1784, resolved "that many inconveniences under which they labored

might be remedied by the legislature of Virginia, but that the great and substantial evils to which they were subjected were beyond the power and control of the government, *namely,* from their remote and detached situation, and could never be remedied until the district had a government of its own." It recommended that delegates should be elected to another convention to be held May 3, 1785.

Accordingly, a second convention met at Danville on that date and resolved: "First—That a petition be presented to the Legislative Assembly, praying that this district be established into a state separate from Virginia; second—That another convention of representatives be elected to meet at Danville on the second Monday in August, to take further under consideration the state of the district; third—That this convention recommend that the election of deputies for the proposed assembly be on the principles of equal representation on the basis of population."

This latter proposition was significant in view of the fact that representation in the House of Burgesses of Virginia had always been apportioned more on the basis of territory than of population.

The necessity for this third convention is not apparent, but it met at the appointed date (Aug. 14, 1785), and the committee of the whole on the state of the district offered a very pertinent report and resolutions, and an address to the legislature of Virginia, embodying the views of the convention, all of which were adopted.

An address was also issued "To the Inhabitants of the District of Kentucky," calling their attention to the danger of Indian invasion. It called a fourth convention to meet in September, 1786, to complete the work of separation and frame a constitution for the new state. This was done in pur-

suance of the action of the Virginia legislature, approving the petition for separation and indicating the date when the terms upon which it would be granted should be considered by the people of the district. The act providing for the separation passed in January, 1786, made it contingent on certain conditions relating to boundary, the proportion of the public debt to be assumed by Kentucky, that private interests in land derived from Virginia should be determined by existing laws, and that the navigation of the Ohio should be free to the citizens of the United States.

But the legislature, influenced by a memorial addressed to it by certain members of this fourth convention, repealed this act before it had completed a quorum, and its subsequent acceptance was consequently nugatory. All that had been done was but so much time and labor wasted, and a fifth convention was called to do the work again. But it is scarcely necessary to recite in detail the history of this effort for separate state government, the reiterated and long profitless procedure and vexatious delay for eight expectant years.

Five other conventions, ten in all, were held before the work was consumated. The Constitution of the United States was adopted Sept. 17, 1787, although not ratified until June 26, 1788. After receiving this news and in anticipation of ratification, the petition for separation addressed to Virginia by each subsequent convention making application was accompanied by one to Congress asking admission into the Union. Virginia always assenting to separation, nevertheless attached conditions which the people of the district were not willing to accept.

Congress for a time objected and interposed delays. The Hon. John Brown, of Danville, who had been chosen to represent the district of Kentucky as

one of Virginia's representatives in Congress, thus explained the animus and action of that body in a letter to Judge Muter, dated June 10, 1788: "The Eastern States would not, nor do I think they ever will, assent to the admission of the District into the Union, as an independent state, unless Vermont or the province of Maine is brought forward at the same time. The change which has taken place in the general government is made the *ostensible* objection to the measure, *but the jealousy of the growing importance of the Western Country, and an unwillingness to add a vote to the Southern interest, are the real causes of opposition.*"

Finally Virginia, Dec. 18, 1789, passed an act authorizing the separation on terms with which the people of the district were satisfied. A convention met July 26, 1790, accepted the conditions of the last act, fixed June 1, 1792, as the day on which Kentucky should become a separate and independent state, and called a convention for April 2, 1792, to frame a constitution for the new commonwealth. Congress passed an act Feb. 4, 1791, admitting Kentucky into the Union, to take effect June 1, 1792.

The tenth convention, composed of five delegates from each of the nine counties of the district, assembled on the date appointed and made and adopted a constitution, thus ending the long travail.

The first governor, Isaac Shelby, was a soldier who had served with distinction at King's Mountain and Point Pleasant, a record which, with the Indian troubles still pressing and unsettled, of itself commended him to his people, but he was also a man of sterling worth and character. The first senators elected to Congress were John Brown and John Edwards.

Collins and Smith, in their respective histories of Kentucky, estimate the population in 1790 to have

been 73,677, and Durrett estimates it to have been 100,000 in 1792. But in addition to this rapid growth of population, the state was already developing an agricultural capacity which was a fair augury of its future prosperity.

BIBLIOGRAPHY.—Allen, Wm. B.: *History of Kentucky* (1872); Bradford, John: *Notes on Kentucky* (in the *Kentucky Gazette*, Lexington, 1826–29); Butler, Mann: *History of the Commonwealth of Kentucky* (1834); Collins, Lewis: *Historical Sketches of Kentucky* (1847); Collins, Richard: *History of Kentucky* (1874); Filson, John: *The Discovery, Settlement and Present State of Kentucky* (1784); Marshall, Humphrey: *History of Kentucky* (1812, enlarged 1824); McAfee, Robert B.: *The General and Natural History of Kentucky* (1804–1907); McClung, John A.: *Sketches of Western Adventure* (1832); Rafinesque, C. S.: *Ancient History or Annals of Kentucky* (1824); Shaler, N. S.: *Kentucky as a Pioneer State* (in *American Commonwealths*, 1885); Smith, Z. F.: *History of Kentucky* (1886); *The Filson Club Publications* (commencing 1884), especially Durrett, Reuben T.: *Life and Times of John Filson, The Centenary of Kentucky*

BASIL W. DUKE,

Member Shiloh National Military Park Commission: author The History of Morgan's Cavalry.

CHAPTER II.

KENTUCKY FROM 1792 TO 1865.

Steps to Statehood.

The peculiar circumstances characterizing the erection of Kentucky into one of the states of the Federal Union render it necessary to give a brief review of its settlement before entering upon its history as a separate commonwealth.

The original thirteen colonies were organized before anything definite was known of the territory now embraced within its limits or of that extending westward to the Pacific. It was the hunting ground of various hostile tribes of Indians, and it was not

until Dr. Thomas Walker, in 1750, and Col. Christopher Gist, in 1751, made their explorations that there existed any definite knowledge of its topography or other features which later proved so alluring to the immigrant from the east. Even then, it was not until 1769 that it was first visited by Daniel Boone, and no permanent habitation was erected until 1774 when James Harrod and a few other Virginians made a settlement at what is now Harrodsburg in the central portion of the state. A year later the fort at Boonesborough, not far distant, was built and became the nucleus of other similar defensive stations, by means of which tenure of the territory was maintained against the combined efforts of the Indians and the British.

The settlement of Kentucky is invested with an interest not merely from its local bearing and its rapid growth from an uninhabited wilderness to a new member of the Republic, but from its influence in promoting the settlement of the west and in winning to the Federal control the vast territorial area now comprising the states of Ohio, Illinois, Indiana, Michigan, Wisconsin and that part of Minnesota east of the Mississippi, through the genius of George Rogers Clark, one of its early pioneers. The achievement of this great leader who, with a mere handful of backwoodsmen, while not yet thirty years of age, wrested this territory from the British in 1779, cannot be overestimated in its influence upon the rapid settlement of the West and the cause of American independence. Nor was the civic growth of Kentucky less remarkable in its otherwise rapid development. The first movement looking to the establishment of local self-government was the meeting of the House of Delegates or Representatives of the Colony of Transylvania at Boonesborough on May 23, 1775, composed of dele-

LOUISVILLE IN 1845.

gates from the following settlements: Boonesborough, Harrodsburg, Boiling Springs and St. Asaphs, all comprised in a limited territorial area. The list of delegates included the names of many who afterwards bore a conspicuous part in the history of the state. The meeting was called by Richard Henderson, president of the Transylvania Company composed of North Carolinians, who had, on March 17 previous, purchased from the Cherokee Indians, by treaty held at Watauga, in East Tennessee, that part of Kentucky south of the Kentucky River. All the formalities of a parliament were observed, including an opening address from Colonel Henderson and a formal response from Thomas Slaughter, the presiding officer. Various acts were passed, such as establishing courts, regulating the militia, to prevent profane swearing and Sabbath breaking, and for preserving the game and improving the breed of horses. But the session was brief, as later proved the life of the government sought to be organized. Virginia claimed priority of title to the land by virtue of the treaty of Fort Stanwix, New York, Nov. 5, 1768, by which the Cherokees had sold to that colony all their lands in Kentucky and declared the Henderson purchase void. North Carolina also repudiated the claim, but both commonwealths, in view of the service rendered by the Henderson Company in promoting the settlement of the west, donated to it a tract of 200,000 acres of land. That of Virginia was located at the mouth of Green River, Kentucky, comprising in part the present county of Henderson, while North Carolina contributed an equal quantity of rich lands in Powell's Valley at the base of the Cumberland Mountains in East Tennessee.

The impetus given to the settlement of Kentucky by the incoming of the Henderson Company was

in no measure checked by its dissolution, but with the foothold gained by the establishment of the nucleus of stations and forts, not far distant from Boonesborough, was maintained by the bravery of the pioneers who successfully resisted the efforts of the Indians and their British allies to prevent their occupation of the country. The story of the heroic struggle of the pioneers of Kentucky during the American Revolution and for more than a decade after its close is one of unparalleled courage and fortitude, involving, as it did, not only the defense of their immediate firesides but the conquest of the northwest from the British and the protection of the pioneers thereto from Indian and Canadian aggression.

Virginia, assuming jurisdiction over the territory embraced in Kentucky was not slow in organizing civil government therein. From the start it was held as part of Fincastle county, but on Dec. 6, 1776, the legislature of Virginia established the county of Kentucky, and in the following April burgesses were chosen to represent it, the first court being established at Harrodsburg in September of that year. On Nov. 1, 1780, the county of Kentucky was divided into three counties, Jefferson, Lincoln and Fayette, each with a colonel, lieutenant-colonel and surveyor; and thence every few years afterwards additional counties were organized, the civil government gradually supplanting the more primitive methods. Meantime the tide of immigration, chiefly from Virginia, was steadily increasing, embracing many men of prominence in their former homes and others who subsequently achieved distinction in their new one. The roll embraces too many of merit to admit of singling out a few for illustration. Upon these brave pioneers was imposed the task, not only of forming a civil

government, but of protecting the lives of their families from the savage Indian tribes of the northwest, stimulated in their desire to recover possession of their hunting grounds by the British who, utilizing them as part of their military force in the colonial war, added to their barbarities by a bounty for the scalps of the settlers. It was not until 1783 that the Indians were sufficiently subdued to exempt the territory of Kentucky from organized invasion, while, for more than a decade later, small predatory bodies made life unsafe in every part of the territory occupied. The close of the Revolutionary War brought but little relief to the pioneers. The British, in violation of the treaty of peace which secured independence of the colonies, refused to give up the forts of the northwest territory until 1795, and it was not until the victory of Wayne at Fallen Timbers, in 1794, followed by the treaty of peace with the Northwest Indians at Greenville, Ohio, Aug. 3, 1795, that Kentucky was relieved of both defensive and aggressive measures against the savages for the sanctity of their homes.

Notwithstanding these adverse conditions, an early sentiment was manifested by the pioneers in favor of the organization of the territory as an independent colony.

In 1784 the first convention looking to the establishment of a separate government was held at Danville with ten successive ones, at intervals, until its final admission as a state in 1792. Thus it will be seen that within nine years after the erection of the fort at Boonesborough the pioneers of Kentucky began an organized movement for the erection of the territory into a separate government and eight years later perfected its organization as a state, and it was admitted as the fifteenth member

of the Federal Union with a census population of 73,677.

The Constitutional History of Kentucky.

The constitutional history of Kentucky from its admission into the Union as a state until the War of Secession, and to the present date, is easy of comprehension, having been simply an evolution of the conditions of its original organization as a state to those which now prevail. The first constitution which went into effect June 1, 1792, followed the lines of governmental principles and policies of the parent commonwealth. It required, however, but a very brief period of experience to demonstrate that, in many of its provisions, it fell short of putting into practical operation the advanced principles of constitutional liberty which had been won by the colonies by their successful struggle during the Revolution.

The act of the Virginia legislature which finally led to the erection of Kentucky as a separate state is what is known in Kentucky as the "Compact with Virginia," entitled "An act concerning the erection of the District of Kentucky into an independent state, approved Dec. 18, 1789." This provided that in the month of May, 1790, on the respective court days of the several counties, then numbering nine, viz.: Jefferson, Nelson, Mercer, Lincoln, Madison, Fayette, Woodford, Bourbon and Mason, there should be elected from each county five representatives to a convention to be held in Danville July 26, 1790, "to consider and determine whether it be expedient for and the will of the good people of the said district that the same be erected into an independent state," upon terms later prescribed as to boundary, land grants and other details. The act further provided that if the convention should approve the erection of the district into

an independent state, on the terms prescribed, it should fix a day after the 1st of November, 1791, on which the authority of Virginia should cease and the compact become mutually binding upon the parties, and unalterable by either without the consent of the other. This was coupled with a proviso that prior to the 1st of November, 1791, the General Government of the United States should assent to the erection of the said district into a separate state, releasing Virginia from all obligations arising from the said district, as being a part thereof, and agree that the proposed state should, immediately after the day fixed posterior to the 1st of November, 1791, or at some convenient future day, be admitted into the Federal Union.

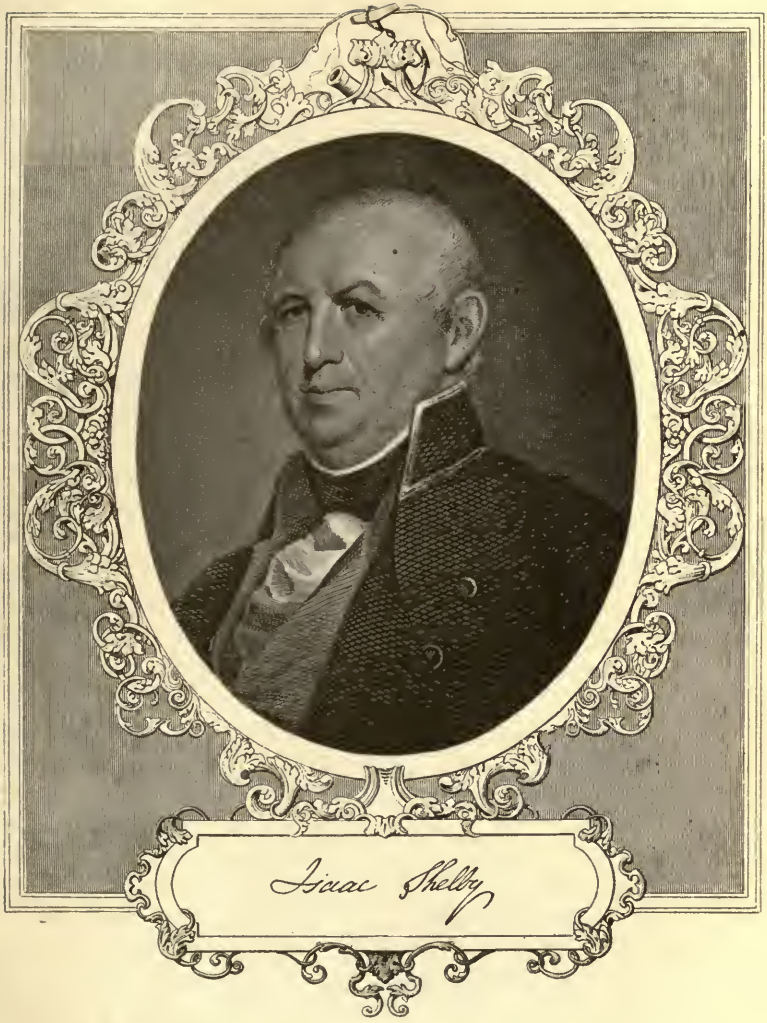
This was the third act of Virginia consenting to the separation of Kentucky, the first having been in January, 1786, and the second in the following October, but it met with no favorable response from the Federative Congress. Finally that body having previously provided for the admission of Vermont as a state on March 4, 1792, passed an act on the 4th day of February, 1791, to admit Kentucky into the Union on the first day of June, 1792.

The First Constitution.

In accordance with the provisions of this act the first constitution of Kentucky was formed by a convention which met for that purpose at Danville, April 13, 1792, being the tenth convention which had been held looking to its establishment as a separate commonwealth since 1784. By its provisions it was to become operative as provided by the foregoing act of Congress, June 1, 1792. There were, at that time, nine counties, as before enumerated, the present number being 120. The salient features of this organic law were: first, universal suffrage,

"all free male citizens of the age of twenty-one years being entitled to vote who had resided in the state two years, and in the county in which they offered to vote one year next before the election"—the first instance in which the principle of unlimited suffrage, now of quite universal recognition in America, was put into practice. Members of the House of Representatives were elected by the direct vote of the people, but the governor and senators were chosen by electors equal to the number of representatives chosen by the people.

The first General Assembly met at Lexington on June 4, 1792, and on the 6th Isaac Shelby, who with his father, Gen. Evan Shelby, a native of Wales, had borne a prominent part in the Revolutionary and Indian wars, having been previously elected governor, delivered his first message orally, as was the custom in England and America at that day. The first act passed was one establishing an auditor's office and the second one creating the county of Washington from a portion of the county of Nelson. Thirty-seven acts in all were passed at this session, among them two for the establishment of Shelby and Logan counties, the former being taken from Jefferson and the latter from Lincoln. The final act of the session was passed June 29, 1792. The second, an adjourned session, was held at Lexington Nov. 15, 1792, the last act of which, passed Dec. 22, 1792, provided that the next session should be held at Frankfort, which had been fixed by a commission as the capital of the state on Nov. 1, 1793, at the house of Andrew Holmes. This was known later as the Love house, a large double frame dwelling which remained an object of historic interest until 1870, when it was torn down to give place to a modern residence. Since then Frankfort has continued to be the capital, although for more than


Isaac Shelby

half a century strenuous efforts were made, at intervals, to remove the seat of government to Lexington or Louisville. Latterly such efforts have been discontinued, and a new capitol, costing about $1,500,000, is nearing completion, insuring Frankfort's continuance as the seat of government indefinitely. The present State House, soon to be vacated, a classic stone edifice of the Parthenon order of architecture, the sixth in which the legislature has held its meetings, was completed in 1829, and in it has been held all the legislative meetings since, except in the autumn of 1862 when a session was adjourned to Louisville in consequence of the invasion of Kentucky by a Confederate army under General Bragg, which was, for a time, in possession of the capital.

The Second Constitution.

It required but a brief period after the inauguration of the new government and the practical exercise of its constitutional provisions to develop a very general objection to some of them. While that relating to unlimited suffrage, in the sphere provided, was in keeping with the spirit of individual coöperation which has enabled the pioneers to win their victory over the opposing savages and the physical obstacles encountered in the planting of civilization in a wilderness, the restriction of suffrage in the choice of the executive, the senate and the judiciary, by electors instead of by the direct vote of the people, developed an early opposition. In addition to these features was a provision which gave to the Supreme Court original and final jurisdiction in all land cases, which in its practical operation led to very general objection. It was not long, therefore, before there was a strong sentiment in favor of another constitutional convention to correct these objectionable features. Several attempts

were made towards attaining this end, but it was not until 1798 that the requisite two-thirds majority of both houses in the legislature was obtained providing for it, and on July 22, 1799, the second constitutional convention met at Frankfort. The new constitution was adopted August 17. Its provisions remedied the principal objections to the first. The governor and senators were made eligible by the direct vote of the people. The jurisdiction of the Court of Appeals was limited to cases of appeal from inferior courts, and while judges of both were still to be appointed by the governor, for reasonable cause, not sufficient for impeachment, they were made removable by him upon the address of two-thirds of each House of the General Assembly. The governor, upon whose reëlection there was no restriction in the first constitution, was made ineligible for the succeeding seven years after the time of his election. The office of lieutenant-governor, for which there was no provision in the first convention, was created by the second, with the same qualifications as the governor. The new constitution became operative June 1, 1800. James Garrard, who had been elected governor in 1796, as successor to Governor Shelby by a bare majority over Benjamin Logan, was again elected in 1800, the only instance of a governor of Kentucky having succeeded himself by consecutive elections. Governor Shelby was again reëlected governor in 1812, since which time no governor has served two full terms.

The Third and Fourth Constitutions.

The third constitution of Kentucky was adopted by a convention which met at Frankfort Oct. 1, 1849, a half century after the adoption of the second one, and it bears date June 11, 1850. The salient features in which it differed from the previous one

consisted, first, in making all officers, state and county, including the judiciary, elective, and incorporating the system of common school education as a constitutional, instead of legislative, subject, and providing for the election of a superintendent of public instruction, provisions, the necessity of which had long been felt. In the matter of contracting debts the legislature was limited to $500,000, except "to repel invasion, suppress insurrection, or, if hostilities are threatened, to provide for the public defense," coupled with a provision that the General Assembly should have no power to pass any act or resolution for the appropriation of any money, or the creation of any debt exceeding the sum of $100 unless the same, on its final passage, should be voted for by a majority of all the members elected to each branch of the General Assembly, and requiring the yeas and nays to be entered upon the journal. These were very salutary provisions, prohibiting such large expenditures as had been made in railroad construction, slack water navigation and the like. The granting of divorces, changing of names of individuals and permission for the sale of estates of infants or persons under legal disability were also taken from the legislature and relegated to the courts of justice.

The fourth constitution was adopted in convention at Frankfort Sept. 28, 1891, after an interval of forty-one years since the adoption of the preceding one. Its salient feature is the recognition in the organic law of the changes effected by the war in regard to the negro and previously observed by the legislature. In all his legal rights he is placed on an equality with the white, with no restriction as to suffrage, testimony or participation in the benefits of the common school fund, except as to the latter, separate schools are provided for the two

races. The most notable change occurs in the manner of voting. Under previous constitutions the *viva voce* system was the method prescribed for all elections. The new constitution inaugurated the Australian ballot. In some respects the change has been salutary as protecting, by its secret feature, the independence of the voter, but the system has shown defects in its cumbersome machinery and has not as fully eliminated the matter of suffrage from fraudulent manipulation as was hoped. Another feature of the new instrument is that while it restricts the legislature in regard to many subjects hitherto under its control, it has embodied in the organic law a large mass not limited to principles prescribing the bounds of legislation, but having more the semblance of a fixed code of legislation repealable or amendable only by another constitutional convention.

The Resolutions of '98.

The success of the second constitutional convention in meeting the political views of the people was shown by the fact that a full half century elapsed before there was a revision of the fundamental law of the state. There was a concurrence in the adoption of that instrument with the political revolution in national politics by which the Federal party, which had for three terms controlled the presidency and dominated the political policies of the period, suffered defeat in the election of Jefferson over John Adams in 1800, and the Democratic party began its long career under the leadership of the author of the Declaration of Independence. In that memorable contest Kentucky played a conspicuous part in the adoption, by the legislature in November, 1798, of what are known as the Kentucky Resolutions of '98. They were introduced and strongly

advocated by John Breckinridge, a Virginian who had moved to Kentucky in 1793, and taken a high position at the bar—the grandfather of Vice-President John C. Breckinridge, United States Senator, 1801-05, attorney-general in Mr. Jefferson's Cabinet, 1805-06. During the months of June and July previous to the introduction of these resolutions there had been passed by Congress the famous Alien and Sedition acts, the first empowering the President to banish any foreigner who should speak abusively of him or the Congress, and the second prescribing, as a penalty, fine and imprisonment upon any citizen who should speak severely against either. It was under the latter law that Matthew Lyon, then a member of Congress from Vermont and later from Kentucky, was, in October, 1798, expelled from Congress, fined $1,000 and sentenced to jail for four months for having severely criticized President Adams in a newspaper published by him. This aroused the people to a sense of the unconstitutionality of these acts, and Mr. Jefferson took active measures in opposition to them. In the autumn of that year a conference was held at Monticello at which were present Mr. Jefferson, Mr. Breckinridge, W. C. Nicholas, of Virginia, and, perhaps, Mr. Madison. As a result, Mr. Jefferson was requested to draw resolutions condemnatory of these acts as unconstitutional, to be presented by Mr. Breckinridge to the Kentucky legislature. This was done, but Mr. Breckinridge, exercising a conceded right, made sundry alterations, particularly in eliminating the nullification feature from the original and justly entitling him to the credit of authorship. That they were ably presented is evidenced by the fact that they passed the House with but one dissenting vote and the Senate unanimously.

Much misrepresentation and misconception of

these resolutions have existed in the general charge and belief that they favored the doctrine of nullification or implied a purpose of resistance to Federal authority. A just view will ascribe to them but a purpose to enter a solemn protest against the exercise of the power sought to be conferred upon the Federal executive, and the use of moral rather than revolutionary means to effect a remedy. That this was done is sufficiently attested by history. The Federal party had administered the government for twelve years under a loose construction of the constitution during the last presidential term, and the introduction of these resolutions proved to be the basis of the organization of the Democratic party, the election of Jefferson and all succeeding presidents, except three, for sixty years.

The School System.

For some years prior to the formation of the third constitution it had become evident that a revision of the existing one was necessary to meet the growing wants of the increased population, and the more progressive ideas in regard to the administration of public interests. There was, in that instrument, no provision for a public school system and many restrictions upon the power of the people in various respects in which other states had demonstrated the wisdom of better methods. While the state had early enjoyed the foundation of universities, colleges and seminaries for higher education by the various religious sects, or through individual promotion, there was no adequate provision for the education of the young beyond the primary or other schools with a fee for tuition. The legislature had at various times, from an early period, donated lands for the benefit of seminaries and other educational institutions, and in 1838 had enacted a law

for the establishment of a general system of common schools in Kentucky, and Congress had two years previously apportioned about $15,000,000 of surplus money in the treasury to several states in the form of a loan, of which Kentucky's share was $1,433,757, the greater part of which became and remains a part of the bonded assets of our public system. But notwithstanding a commendable zeal shown by those in charge of the public school system in its crude condition, there was but little progress made towards its efficient organization until it became a part of the organic law by the action of the convention which framed the third constitution. In addition to a provision that a superintendent of public instruction should be elected by the people at the same time with the governor and for the same term of years, the organization of the school system, by constitutional provision, instead of by mere legislative act subject to repeal or change at each meeting of the General Assembly, gave an impetus to the cause of education which prospered notwithstanding the injurious effects of the War of Secession and the great drawback to its efficiency in the mountain region of the state from its sparse population and inadequate roads. For a long time the percentage of taxation for school purposes was but two cents on the hundred dollars, but it has from time to time been raised until it is now, by constitutional provision, at the rate of twenty-two cents with the power of additional taxation in cities or other school districts which, by popular vote, may so decide. There has been a steady advance in the improvement of the system since the war, the negro children sharing equally with the whites in the privileges for education, the only distinction made being that which provides separate schools for the two races. There are state normal schools for each

race, that for the negroes is located at Frankfort and has been in successful operation for nearly a score of years. The two schools for whites have but recently been organized, the eastern at Richmond and the western at Bowling Green, supplanting one formerly attached to the State University at Lexington. At the 1908 session of the legislature the following appropriations were made for these institutions in addition to the existing provisions: $200,000 for the State University; $150,000 each for eastern and western Normal Schools, and $40,000 for the Colored Normal School. For the general operation of the common school system provision is made for primary, graded, high schools, normal schools and universities. In the larger towns and cities, gratifying evidence of its success is to be seen in the excellence of the buildings, the *esprit de corps* of the pupils and the steady advance in all the departments of the system. In the rural districts which, from the different conditions, cannot give such visual demonstrations, there is a proportionate advance in the line of educational improvement. The legislature of 1908 enacted a law placing the schools outside of cities in charge of a board of education in each county which in other states has proved very effective in promoting the interests of education.

In addition to the provision made for the education of children under the common school system, Kentucky maintains state schools for the feeble-minded, for the blind and for the deaf and dumb, which have been long in successful operation.

Early Military History of Kentucky.

The military history of Kentucky dates from its earliest settlement. In its primitive days every man who bore a rifle or a hunting knife was a sol-

dier belonging to the army of pioneers, who felled the trees or plowed the ground, with his weapon ready at hand to repel the red-skinned adverse claimant. He was an unpaid soldier and was, therefore, not enrolled, but it was such as he who rallied to the call of Clark and Logan whenever the peace of the stations was threatened or the punishment of the Indian or his British ally was demanded in the territory north of the Ohio. The full roll of these men can never be found. They were too often the victims of the scalping knife, the arrow or the rifle, the gauntlet or the stake—the unknown heroes who in every contest of civilization against barbarism, or right against wrong, fill unmarked graves and have only an anonymous fame.

Virginia, embarrassed with her own troubles in resisting Indian or foreign aggression, was slow to recognize the value of these defenders of her western possessions, who in winning homes for themselves were at the same time zealously guarding against the encroachment of rival claimants as well as the Indians. It was not until George Rogers Clark, as first delegate from a convention of the Harrodsburg convention of June 20, 1776, made his appeal to the Virginia Convention at Williamsburg for aid, with the epigrammatic plea that "a country which was not worth defending was not worth claiming," that he received an order for five hundred pounds of powder upon the arsenal at Pittsburg and secured an act of Dec. 6, 1776, establishing Kentucky as a county of Virginia. In due time, after many hardships, the powder arrived safely at Harrodsburg and was used by the first militia of Kentucky under George Rogers Clark, then but twenty-four, commissioned as major. From this initiative dates the first military organization in Kentucky, resulting not only in the successful de-

fense of the primitive forts, but in the conquest of the British possessions between the Ohio and the lakes which was in 1784 transferred, as a free donation, to the Federal government. Afterwards, when to the defense of the settlements south of the Ohio was added the arduous duty of repelling the invasion of that territory by the Indians and their British instigators, there were regiments under the command of Clark, then general, of men like colonels Ben Logan, John Todd and John Bowman, whose muster rolls are preserved. They may be said to have held against the British the western line of defense in the Revolutionary War, which not only secured the safety of the pioneers of Kentucky, but contributed, most effectively, to the success of Washington in the east, since, had Clark suffered defeat, there would have been a repetition of the calamity which followed the defeat of Braddock in 1775, when the colonial settlers were driven eastward beyond the Blue Ridge. Had similar disaster occurred during the Revolution, averted only by the skill and valor of George Rogers Clark and the Kentucky pioneers, Washington would have been confronted by a dangerous foe in his rear as well as his front, and the problem of the struggle for independence would most probably have had a different solution.

But a better fortune rewarded the valor of the army of western patriots whose labors were prolonged far beyond the Peace of Paris. Theirs was not only the task to defend Kentucky from the persistent aggressions of the Indians, encouraged by their British allies, but to protect the settlers from the east on the territory won by Clark at Kaskaskia and Vincennes. Unlike the pioneers of Kentucky, they were not of the material to cope with the savage, having had no such experience. The first set-

tlements north of the Ohio were at Marietta and Cincinnati in 1788. The movement was a commercial one, involving a purchase from the Federal government of two very large tracts of land of about one million acres each, upon the Muskinghum and between the Little Miami and the Scioto rivers. The projector of the first was Rufus Putnam, of Massachusetts, and of the other John Cleve Symmes, of New Jersey. The settlers on the Marietta tract were from Massachusetts, and those on the other body of lands were chiefly from New Jersey and Pennsylvania. They had had no experience in frontier life or Indian warfare, and the chief dependence for the safety of the homes of the newcomers, as well as the security of Kentucky, from Indian depredations, was upon the more experienced pioneers of the latter. To meet this situation new military commanders were sent from the regular army in the east, as generals Harmar and St. Clair, who had made reputations in the Revolutionary War. But they, as well as the regulars whom they brought with them, were unskilled in Indian warfare, and several disastrous defeats followed. In September, 1790, General Harmar marched from Cincinnati to attack the Miami towns in the western part of the territory with two large detachments composed of both regulars and militia, which were successively surprised and routed with great slaughter. He was superseded in the following March by General St. Clair, recently appointed governor of the northwestern territory. During the summer successful expeditions were made by Gen. Charles Scott, of Kentucky, with troops of that territory, against the Indians on the Wabash, and by General Wilkinson, also with Kentucky troops. But in November General St. Clair, with a mixed army of regulars and militia, attacked the Indian

towns on the Maumee River near the scene of Harmar's disaster, meeting even greater defeat than the latter, being surprised and overpowered with the loss of nearly 1,000 men in killed and wounded. A better condition ensued when General St. Clair was superseded by Gen. Anthony Wayne, who had lately been appointed by Washington General-in-chief of the United States Army. He organized a body of troops which he drilled and trained in Indian warfare, and built Fort Recovery near Greenville, Ohio, and Fort Adams at the junction of the Maumee and Auglaize rivers. He then held the Indians in check and offered them peace if they would lay down their arms, but they declined. Having in the preceding month been joined by Gen. Charles Scott, afterwards governor of Kentucky, with 1,000 Kentucky volunteers, he attacked them Aug. 20, 1794, at Fallen Timbers, about eleven miles southeast of Toledo, Ohio, and defeated them so signally that it proved the last of the long series of conflicts between the whites and the Indians until the War of 1812, the final treaty of peace having been signed at Greenville Aug. 3, 1795.

The War of 1812.

As in the Revolutionary War and the decade or more subsequent thereto in which Kentucky bore the brunt of the conflict west of the Alleghanies, so in the second conflict with Great Britain her people, from their geographical position as a frontier western state between the northern lakes and the Gulf, were called upon for an equally active participation in the conflict. The relations between the United States and France during the revolutionary struggle naturally led to a sympathetic feeling with that power in the Napoleonic War, and Great Britain was not slow to resent such manifestation,

especially when assured of exceptional sympathy in her behalf on the part of several of the New England states. Denying the right of her citizens to expatriate themselves, she claimed the right to search our vessels for British seamen, taking them in spite of their naturalization and not always discriminating as to native Americans. She also passed orders in Council requiring all neutral vessels, in sailing from one foreign port to another, to enter first a British port. In view of such tendencies Mr. Jefferson, in 1807, recommended the protection of our harbors by the building of small gunboats for their defense. On the 22d of June following occurred the outrage by which the British man-of-war *Leopard* attacked the American *Chesapeake* and, after its surrender, bore off a number of its crew. Upon demand by Mr. Jefferson for satisfaction and security from further outrage, England made amends for the attack on the *Chesapeake* but claimed the right of search and refused to rescind the orders of Council. Congress approved Mr. Jefferson's action and passed an act prohibiting the departure of any American vessels from the ports of the United States, known as the Embargo Act. Irritation on these accounts continued with vain attempt of the United States to effect a termination of the wrongs. Finally, on June 7, 1812, President Madison sent a message to Congress reviewing the action of Great Britain in persisting in her claim of the right of search and her evident determination, by the orders in Council, to destroy American commerce, and presenting the question as to whether the United States should longer continue in passive submission or resent them as deserved.

On June 18 Congress declared war against England, and on the 19th President Madison issued his proclamation making formal announcement of the

same and appealing to the patriotism of the people for their support of the government. The war lasted two years and a half, the treaty of Ghent terminating it, having been signed Dec. 14, 1814. Kentucky had already experienced a foretaste of the struggle which followed this declaration in the loss of several of its prominent citizens in the battle of Tippecanoe, fought on Nov. 7, 1811, between William Henry Harrison, then governor of Indiana and afterward President, in command of troops of that state and Kentucky, and "The Prophet," a brother of Tecumseh, the Indian chief who, in the War of 1812, played a conspicuous part and was killed at the battle of the Thames. The inception of the hostility between the Indians and the whites was a treaty by which the latter, representing the territory of Indiana, had purchased certain lands from Indians represented by Tecumseh and "The Prophet." After having received the first payment they conceived the idea of forming a great confederacy of Indians for wresting from the whites the Northern territory, evidence not being wanted to show that in this purpose they had encouragement from the British on the Northern borders. Their settlement was in central Illinois on the Wabash River, and having made evident their hostile purpose, Governor Harrison began energetically to organize a force to attack them. This culminated in the battle of Tippecanoe, the name of the Indian settlement, under the immediate command of General Harrison, in which the army organized by him consisted chiefly of regulars, two companies of Kentuckians from the vicinity of Louisville and a number of volunteers assigned to various duties. Among the latter who fell victims in the action were Col. Joseph Hamilton Daviess and Col. Abraham Owen, both members of General

GEN. W. H. HARRISON AND TECUMSEH.

Harrison's staff. The former, who had married the sister of Chief Justice Marshall, was United States district-attorney, who prosecuted Aaron Burr in Frankfort in 1806 for alleged treason, and the latter, who had distinguished himself in the Indian wars of the preceding decade, was at the time of death a member of the Kentucky senate. The victory of Harrison was complete and terminated the issue with the Indians. In the presidential election of 1840, when Harrison and Tyler constituted the ticket, it figured prominently in the canvass, the favorite party cry and motto being "Tippecanoe and Tyler too."

The declaration of war by the proclamation of President Madison was received in Kentucky with enthusiastic response. Congress having authorized the President to call out 100,000 of the militia, the quota of Kentucky was fixed at 5,500. This call was promptly met. Seven thousand volunteers offered their services and the Kentucky troops were organized with ten regiments, and in August four regiments, with Gen. John Payne in command, rendezvoused at Georgetown where they were eloquently addressed by Henry Clay. On the 19th they marched for Cincinnati on their way to join the army of Gen. Wm. Hull, a veteran of the Revolution, who had been appointed governor of Michigan by Jefferson. But on reaching Cincinnati they heard of Hull's surrender at Detroit on the 16th with 900 men. He was later tried by court-martial for treason, cowardice and neglect of duty, and sentenced to be shot, but was pardoned by the President in view of his service in the Revolution. Thus was again demonstrated, as in the case of St. Clair, the incapacity of the veterans of the east to cope with the enemy in the west. General Harrison succeeding to the command, the campaign which fol-

lowed was not dissimilar to those recounted prior to the peace of Greenville in 1795, the Indians rallying to the support of the British, and the scenes of Indian warfare of that period being reënacted on the Wabash and the Miami. But General Harrison with Zachary Taylor, of Kentucky, then a captain, but soon promoted major and afterward President, pursued a vigorous and successful campaign reinforced by additional levies from Kentucky. But again was the west, and especially Kentucky, made to suffer by the incompetence of the eastern officers who, however, successful in the Revolutionary War, proved incompetent to cope with the savage of the west. Gen. James Winchester had, meantime, been placed in command. He inaugurated a movement for the recapture of Detroit early in January 1813, which culminated in the defeat of his army at the river Raisin Jan. 22, 1813, and the capture of himself and the greater part of his army. But this did not terminate the disaster. The prisoners, exposed to the vigorous cold of the season, disarmed, and relying upon the good faith of their captors, were turned over to the savage brutality of the Indians and massacred by the score. Among them were Col. John Allen, Capt. Nathaniel Hart and many other prominent Kentuckians of that day, whose bodies were not later identified and whose bones were left to bleach upon the field. In the following autumn, when the Kentucky troops were on their way southward after their great victory at the Thames, they recovered sixty-nine bodies and gave them honorable interment. Subsequently, in 1818, they were reinterred in the cemetery in Monroe, Michigan, the site of the battle. In 1834 they were brought to Kentucky and interred in the state lot in the Frankfort cemetery. The battle of the Thames, which occurred on Oct. 5, 1813, when Gov-

ernor Shelby reinforced General Harrison with 4,000 Kentuckians, closed the campaign in the northwest. Following the naval victory of Commodore Perry off Put-in-Bay, Lake Erie, Sept. 10, 1813, in which the defeat of the British was as signal as that of the militia on the Thames, the British were left without the means of further resistance, and hence the American troops, having no more occasion for service, returned to their homes, save only as to the garrisons at certain forts, and a successful expedition under command of Maj. Peter Dudley against the Pottowatamies in November, 1814.

Some adequate conception of the service rendered by Kentuckians in this campaign may be found by the after history of many of those who shared its dangers. In addition to Shelby, who had but recently been elected governor for the second time, there were Richard M. Johnson, then a member of Congress and afterward senator and vice-president, Adair, Desha and Crittenden, governors, Walker and Barry, senators, and the latter, with McAfee and Charles A. Wickliffe, lieutenant-governors.*

Battle of New Orleans.

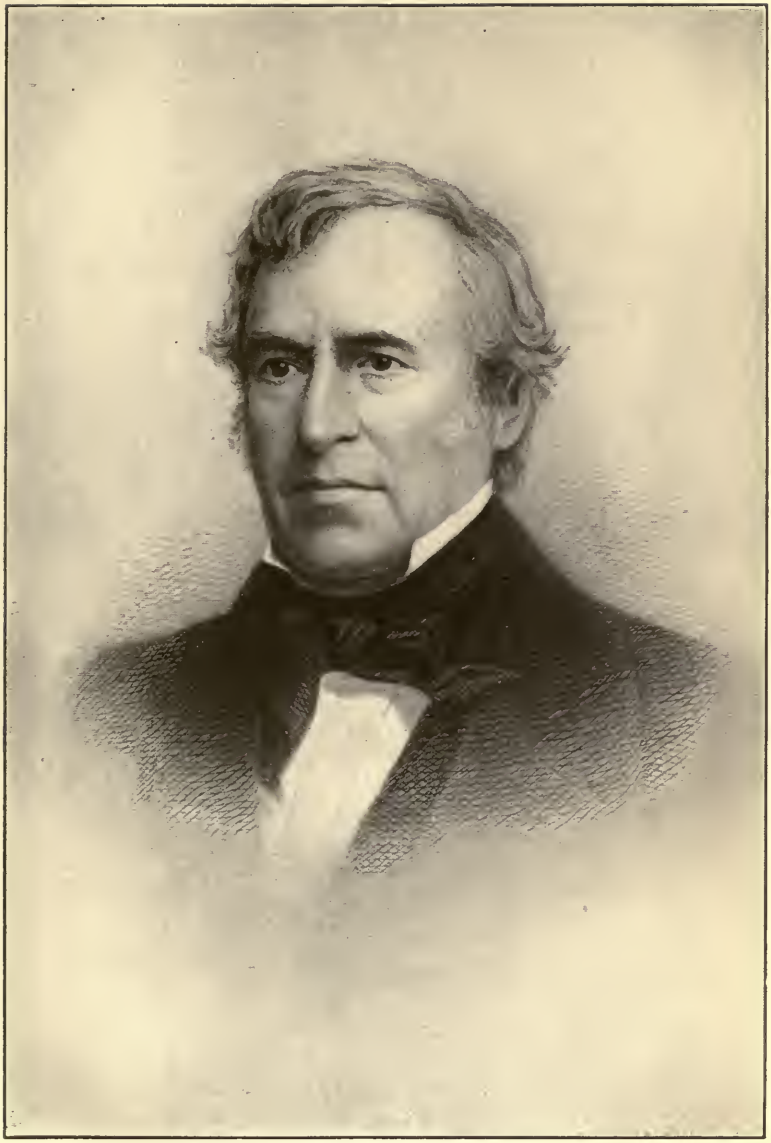
The next call upon Kentucky for troops was when the British, under General Pakenham, moved against New Orleans. In November three regiments rendezvoused at Louisville in 1814, viz.: The first under command of Lieutenant-Governor Samuel Mitchussen, the second, Lieutenant-Colonel Gabriel Slaughter, and the third Lieutenant-Colonel Presley Gray. They had been summoned hastily and, poorly armed and equipped for such a trip,

* For full account of the battle of the Thames and those who took part in it see *The Battle of The Thames*, by Bennett H. Young, Filson Publication, No. 18, Louisville, 1903.

embarked in flat boats November 21. They were crowded together on the boats without any shelter, and the hardships and exposure endured at an inclement season produced much sickness. After many delays and a short voyage they arrived at New Orleans on January 3. A portion of the Kentucky command, under Col. John Davis, was placed on the west bank of the Mississippi River when a flanking movement was threatened, and the remainder in the centre of the main line of defense on the east side under command of Gen. John Adair, afterwards governor, near the Tennesseeans under General Carroll. It was this portion of the latter line which received the main attack of the British who were approaching in close range, and repulsed them by the rapid and accurate fire of the western riflemen. The result is too well known to require detail, the flower of the British army being defeated with great slaughter, including the commanding general, while the American loss was but thirteen killed and thirty-nine wounded. The saddest part of the tragedy was later disclosed when the intelligence reached America that the treaty of Ghent, terminating hostilities, had been signed on December 14 preceding. Some reflection was made upon the conduct of the Kentucky troops posted on the western bank of the river, resulting in a controversy between General Adair and General Jackson, but a court of inquiry relieved the troops of any censure and all bitterness of feeling was, in time, removed. General Adair, who had been a senator in Congress, was governor of Kentucky, 1820-24.

The Mexican War.

The Mexican War was the logical result of the successful revolution of Texas, accomplished by the defeat of Santa Anna at the battle of San Jacinto



ZACHARY TAYLOR.

April 21, 1836. Her independence, subsequently proclaimed, was acknowledged by the United States Oct. 22, 1837, but not recognized by Mexico. On the 1st of March, 1845, Congress, by joint resolution, declared in favor of the annexation of Texas, and the same having been communicated to that Republic by President Polk, it was ratified by the people of Texas in convention. In view of threatening conditions on the western frontier of Texas in January, 1846, General Taylor was ordered to take position on the left bank of the Rio Grande, and was soon confronted by General Ampudia with a Mexican army on the opposite side of the river. These movements culminated in the battles of Palo Alto and Resaca de la Palma on May 8 and 9, 1846. The war which ensued was prosecuted with vigor first on the southwestern border of Mexico under Gen. Zachary Taylor, afterward President, when among the battles fought were Monterey and Buena Vista, and later by the campaign of Gen. Winfield Scott from Vera Cruz to the City of Mexico, culminating in the capture of the latter Sept. 14, 1847. Peace was confirmed by the treaty of Guadaloupe Hidalgo, Feb. 2, 1848, by which Mexico ceded to the United States New Mexico and California.

Under a call for 2,600 troops from Kentucky, ready response was made by the Louisville Legion, a volunteer organization, and on the 21st of May, 1846, four days after the governor's call, the command left on steamboats for the seat of war via New Orleans. It was known as the First Regiment, commanded by Col. Stephen Ormsby, and was followed later by the Second Regiment with Wm. R. McKee as colonel and Henry Clay, Jr., lieutenant-colonel, and the Third Regiment, cavalry, with Humphrey Marshall, colonel, and E. H. Field, lieutenant-colonel. Of these troops the loss was many

at the battle of Buena Vista, Feb. 22, 1846, including the death of Colonel Clay and Lieutenant-Colonel McKee. In August, 1847, under another call, two more regiments were accepted, while twelve other companies which offered were rejected as the quota was full. The regimental officers of one regiment were Munlins V. Thompson, colonel, Thomas L. Crittenden, lieutenant-colonel, and John C. Breckinridge, major, and of the others, John S. Williams, colonel, William Preston, lieutenant-colonel, and W. T. Ward, major. These commands marched to the City of Mexico too late to participate in the battles preceding its capture. Their service was, however, useful, as the city remained in possession of the American army until after the formal declaration of peace.

In looking back upon the Mexican War two things attract our attention, one the low percentage of loss in battle compared with that in the War of Secession, there having been few engagements which would have ranked above skirmishes in comparison with the battles the Federals and Confederates fought, showing at once the improvement in the death-dealing implements of war in the interval and the more evenly matched contestants. The other observation worthy of note is the fact that the Mexican War proved a great school of education for both the later contending armies. This was notable not only in the regular army but also among the volunteers. From Kentucky the Northern army had Generals Thomas L. Crittenden, Lovell H. Rousseau, Cassius M. Clay, William T. Ward, Colonels W. E. Woodruff, C. D. Pennebaker and others, while the South received Generals John C. Breckinridge, William Preston, John S. Williams, John H. Morgan, Humphrey Marshall, Roger W. Hanson and many others of less rank. The war was

JOHN C. BRECKINRIDGE.

also a stepping stone to political preferment, having furnished two Presidents. In Kentucky those who had aspirations gratified them in the state legislature, one or both Houses of Congress and in foreign courts. As a campaign of education it was, however, less remarkable than for the territorial acquisition which resulted from it. Its duration was but two years, and yet there was added to our territory an area as large as the original thirteen states at a cost of less than that of one year's present administration of the government. It gave us control of the Pacific coast with all the wealth of California, and rounded out our boundary so as to leave nothing further to be desired for peace with our continental neighbors.

The War of Secession.

The presidential election of 1860 found Kentucky divided in political sentiment, as between the lines of the old Whig and Democratic parties, a split in the latter between the Breckinridge and Douglas factions giving the electoral vote of the state to Bell and Everett by a plurality of over twelve thousand votes. But the overwhelming Southern sentiment was evidenced by the fact that, out of nearly 150,000 votes, Mr. Lincoln received less than fifteen hundred. As the discussion which followed the election became more and more intense, pending the inauguration of Mr. Lincoln, and the steps taken by several of the Southern states for the establishment of a separate government, Kentucky was not thrown from her poise by the acts of the extremists on either side. Her sympathies were with the South and she was opposed to the use of force, but men of all parties were strong in their devotion to a Constitutional Union, from the great benefits derived therefrom, as well as from the geographical position of Kentucky as a border state. In a called ses-

sion of the legislature in January, 1861, to consider the existing state of affairs, a proposition to call a convention to determine the ultimate course to be pursued as between the North and the South was promptly voted down. On January 25 George W. Ewing, of Logan county, offered two resolutions, the first declaring that the General Assembly had heard with profound regret of the resolutions of the states of New York, Ohio, Maine and Massachusetts, tendering to the President men and money to be used in coercing the sovereign states of the South into obedience to the Federal government; second, declaring that when those states shall send armed forces to the South for such purpose "the people of Kentucky, uniting with their brethren of the South will, as one man, resist such invasion to the last extremity." The first resolution passed unanimously and the second by a vote of eighty-seven to six. The Bell and Everett party was equally pronounced with the Democratic party in its opposition to force. Governor Magoffin, in response to the call for troops by the Secretary of War April 15, after the firing upon Fort Sumter, replied: "I say emphatically that Kentucky will furnish no troops for the wicked purpose of subduing her sister states." If there was any considerable body of men in Kentucky who differed from this declaration, it was not made known. The Democratic party, of course, concurred with it. The Bell and Everett and Douglas parties had fused, and their committee, calling itself the Democratic Union Committee, composed of such men as George D. Prentice, editor of the *Louisville Journal,* the Whig organ, John H. Harney, editor of the *Louisville Democrat,* the Douglas organ, and James Speed, afterward attorney-general, on the 17th of April, unanimously adopted the following among

other resolutions: "We approve the response of the Executive of the Commonwealth," adding that "if the enterprise announced in the proclamation of the President shall at any time hereafter assume the aspect of a war for the overrunning and subjugation of the seceding states, through the full assertion therein of the national jurisdiction by a standing military force, we do not hesitate to say that Kentucky should unsheath the sword in what will then have become a common cause." Kentucky was then a unit on this proposition, and had the so-called Union element kept good faith the many woes which her people endured during the four years' war might have been greatly diminished, if not wholly averted. But in time the position taken by the anti-Democratic party, proved delusive, and the Southern element having trusted too implicitly in their good faith found themselves, in a few months, abandoned by their late allies and the state under the domination of the Federal army. On April 17, the same day the Union committee adopted the resolution cited, Mr. Crittenden, who had just finished a term in the Senate, made a speech in Lexington in which he proclaimed the doctrine of an armed neutrality, with the assertion that if Kentucky would refrain from taking part in the controversy war might be averted. General Breckinridge, his successor, personally expressed his concurrence and committed himself and his party to the policy. It was evident, even to the most bitter Southern sympathizer, that if this condition should be maintained it would give protection to nearly 700 miles of Southern border. It was not long, however, before evidence of bad faith became manifest. Lieutenant William Nelson, of the navy, a Kentuckian, came to the state on a secret mission and after conference with the leaders of the Union party

was, as shown later by the official records, as early as July 1, authorized by the President to recruit five regiments of infantry and one of cavalry and notified by him that 10,000 arms and accoutrements would be sent for the men thus enlisted and the Home Guards (see *Rebellion Record,* Vol. IV., pp. 251-52). In due time he established Camp Dick Robinson in Garrard county as a recruiting station, and it was in full operation before the expiration of the summer. Gen. George H. Thomas was assigned to the command of that post Sept. 10, 1861. Pending these secret movements for recruiting and organizing Federal troops in Kentucky, the facts of which were only made public after the war, in the volume cited, assurances were being given by the leading Union men that the neutrality of Kentucky would be respected. President Lincoln having, late in April, assured Mr. Crittenden that while he hoped Kentucky would act with the government, if she would not and could remain neutral, no hostile step should tread her soil. Meantime, as evidence of respect for the neutrality of the state, those who wished to take sides with the South in the pending war went beyond the Southern border of Kentucky for organization, while men like Rousseau, intent on supporting the Federal authority in its alleged purpose of protecting the public property at Washington, entered upon the recruiting service, but fixed their camps outside the state across the Ohio. Lulled into confidence by the assurance of good faith on the part of the government at Washington and its adherents in Kentucky, the Southern leaders awoke too late to a realization of the fact that they had been circumvented and that upon proper pretext they would be made to feel the full weight of the Federal power. With the approach of autumn a play for advantage began be-

tween the authorities at Washington and those at Richmond upon the technicality as to who should claim the first violation of neutrality, in which the Southern men of Kentucky had no part. General Grant, who occupied Cairo, threatened Columbus, Ky., by a movement on the Missouri side of the Mississippi, and the Federal general, Smith, made demonstrations threatening Paducah. General Polk at Memphis, not apparently foreseeing the consequences, moved north and occupied Columbus September 3, followed on the 5th by the occupation of Paducah, Ky., by General Grant. The legislature elected in August was then in session with the Union element largely in the majority, and on September 10 adopted resolutions to notify the Confederate troops to withdraw from the state, declining at the same time to take similar action as to the Federal force at Paducah. Gen. Robert Anderson, who was in command of Fort Sumter at the time of its capture, had, on August 15, been assigned to the command of the department of the Cumberland and established his headquarters at Louisville shortly after this date. Thus fortified and assured of protection, the Federal element in Kentucky threw off all disguise and, at its instigation, the state became at once the theatre of malignant persecution of Southern sympathizers and of the most radical measures for its subjugation to the Federal rule.

On the night of September 18 ex-Gov. Charles S. Morehead and Col. R. T. Durrett, with no direct charge against them except that of sympathy with the South, were arrested at their homes in Louisville and sent to Fort Warren in Boston Harbor, as the initial move for similar persecution of others of the same class. Simultaneous with this act General Rousseau's command, which had been in camp in Indiana opposite Louisville, crossed the river into

Kentucky and marched through the streets with loaded guns, without demonstration of welcome from the citizens, and were thence moved southward towards Bowling Green, which, on the same day, was occupied by Gen. S. B. Buckner commanding a force consisting of 2,500 Tennesseeans and 1,500 Kentucky troops organized at Camp Boone, just across the interstate line. On the next night Colonel Bramlette moved from Camp Dick Robinson to Lexington for the arrest of John C. Breckinridge, William Preston and other prominent Democrats who, relying upon the good faith which had been assured them of exemption from persecution, had remained at home in pursuit of their several avocations. Forewarned of their danger they left the city, and together with others of similar prominence made their way through the mountains of eastern Kentucky to Virginia where, in time, they took service in the Confederate army.

The foregoing narrative of the circumstances attending the action of Kentucky at the inception of the war, extended beyond otherwise reasonable limits in a brief history such as this, is necessary to the vindication of the patriotic Kentuckians who gave their lives and fortunes to the cause of the South in the four years' struggle for its liberties. Their after deeds are recorded in the official annals of the war, but there is not elsewhere to be found as full and succinct an account of their action in the interval treated, of the details of which the author can truthfully say, *Omnia quorum vidi, et pars fui.* The official records of the war on both sides attest the valor and faithful service of the Kentuckians who, giving up home and family for the defense of a principle, left their bones to bleach on the battlefields or returned after the struggle to begin life anew, wrecked in their estates, and with only the

BATTLE NEAR MILL SPRINGS, KY.
Death of Gen. Zollicoffer.

sublime consolation that they had done their duty as God gave them to see it. But there is not elsewhere readily accessible an accurate account of the perfidy and usurpation of power which preceded and ultimately secured the Federal occupation and control of Kentucky.

The first serious battle on Kentucky soil was at Mill Spring in Pulaski county, ten miles north of the Cumberland River, Jan. 19, 1862, when Gen. George B. Crittenden with his command of 5,000 infantry and one battery of artillery advanced to attack the Federal army under Gen. George H. Thomas, of nearly equal numbers, two of the regiments being Col. Speed Smith Fry's Fourth Kentucky Infantry and Col. Frank Walford's regiment of Kentucky cavalry. The opening of the battle was favorable to the Confederates, but General Zollicoffer, second in command of the Confederate force, having been killed by a pistol shot by Colonel Fry, of the Federal army, and a heavy reinforcement to the Federal force marching to the field under the command of Col. John M. Harlan, General Crittenden was compelled to fall back and recrossed the Cumberland with his army, after having experienced comparatively small loss of life, but being compelled to abandon ten pieces of artillery, all of his horses and wagons and a large quantity of ammunition and stores. This reverse shed quite a gloom among the Southern element in the state. In the meantime Gen. Albert Sidney Johnston, a Kentuckian, who was in command of the Military Department of the Pacific at the inception of the war, and had resigned in April, had ridden on horseback 1,500 miles to Texas. Having been appointed to the command of the Confederate Department No. 2, including Kentucky, he had established his headquarters at Bowling Green with about 4,000 men

under Gen. S. B. Buckner, composed of Tennessee troops, the Second Kentucky Regiment and parts of the Third and Fourth recruited at Camp Trousdale near Nashville. General Sherman had been superseded by General Buell, and the Green River formed the line between the advance of the respective armies. It was merely a tentative line to cover the operations of the two armies during organization for activity in other fields. The active campaign began on Feb. 6, 1863, with a Federal attack upon Fort Henry on the Tennessee River, resulting in the capture of the post with Gen. Lloyd Tilghman, of Kentucky, and eighty men, after a gallant defense; his main force of 3,000 men having fallen back on Fort Donelson, eastwardly, on the Cumberland. To the defense of this post General Johnston sent General Pillow with 4,000 men on the 9th, and on the 12th reinforced him with the commands of Generals Floyd and Buckner, 8,000 men. At the same time recognizing the danger to which he would be exposed at Bowling Green by the depletion of his force and the necessity of covering Nashville, he fell back upon the latter place at which he arrived on the 15th, the withdrawal being made without loss of any material and in perfect order. The fall of Fort Donelson on the 16th by its surrender to General Grant after a strenuous defense by Gen. S. B. Buckner, after Generals Floyd and Pillow, his seniors, had imposed that duty upon him by escaping to Nashville, was a far-reaching disaster which opened up to the recapture of the enemy not only all of Kentucky but all of Tennessee west of the Cumberland mountains. Among the troops surrendered were the Second and Eighth Kentucky, which, with General Buckner, were retained as prisoners in the North until exchanged in the following August.

Of the military operations which followed, it is

not within the scope of the history to enter into detail. During the remainder of the war the Kentuckians who had left their homes, most of them, hastily and with little preparation, to vindicate a principle dear to them, and who survived its terrors of battle, disease and imprisonment as captors, quite as deadly as the first, were separated from their families for more than three years, except in such brief opportunity as was afforded by the cavalry raids and the invasion of Kentucky by the army of General Bragg in the autumn of 1862. A large proportion did not live to enjoy this pleasure. A true muster roll of Kentucky's contribution to the war can never be made, even though every military organization which they composed were officially recorded, since under the conditions hedging them about there were numbers who were in the service of other states. The most reliable estimate is that there were in the Confederate army 30,000, and in the Federal 75,000, the latter including negroes. Many thousand more Kentuckians served in the ranks from other Southern states.

The following is a list showing the various commands as organized, with the names of their first commanders and dates of commission:

INFANTRY

First Regiment, Thomas H. Taylor, colonel, Oct. 14, 1861; Second Regiment, James M. Hawes, colonel, July 17, 1861; Third Regiment, Lloyd Tilghman, colonel, July 5, 1861; Fourth Regiment, Robert P. Trabue, colonel, Sept. 23, 1861; Fifth Regiment, John S. Williams, colonel, Nov. 19, 1861; Sixth Regiment, Joseph H. Lewis, colonel, Nov. 1, 1861; Seventh Regiment, Charles Wickliffe, colonel, Nov. 1, 1861; Eighth Regiment, Henry C. Burnett, colonel, Oct. 3, 1861; Ninth Regiment, Thos. H. Hunt, colonel, Oct. 3, 1861; Graves Battery, Rice E. Graves, captain, Nov. 8, 1861; Lyon's and Cobb's Battery, H. B. Lyons, captain, Sept. 1, 1861; Corbett's Battery, Henry D. Green, captain.

CAVALRY

First Regiment, Ben Hardin Helm; Second Regiment, John H. Morgan, colonel, Oct. 2, 1861; Third Regiment (afterwards consolidated with First), J. Russell Butler, colonel; Fourth Regiment, Henry L. Giltner, colonel, Oct. 6, 1862; Fifth Regiment, D. Howard Smith, colonel,

Oct. 6, 1862; Sixth Regiment, J. Warren Grisgby, colonel, Sept, 25, 1862; Seventh Regiment, R. M. Gano, colonel, Sept. 25, 1861; Eighth Regiment, Roy S. Cluke, colonel, Sept. 10, 1862; Ninth Regiment, W. C. P. Breckinridge, colonel, Dec. 17, 1862; Tenth Regiment, Adam R. Johnson, colonel, Aug. 13, 1862; May's Battalion Kentucky and Virginia Mounted Rifles, A. J. May, colonel; Eleventh Regiment, D. W. Chenault, colonel, Sept. 10, 1862; Twelfth Regiment, W. W. Faulkner, colonel, Sept. 15, 1863; Thirteenth Kentucky Regiment, Ben E. Caudill, colonel, Nov., 1862; First Battalion, W. E. Simms, 1861; Second Battalion, Clarence J. Prentice, 1862; First Battalion Mounted Rifles, Benjamin F. Bradley, major, 1861; First Special Battalion, W. W. Ward, colonel, Nov. 10, 1864; Third Battalion Mounted Rifles, Ezekiel F. Clay, lieutenant-colonel, Nov. 7, 1862; Third Special Battalion Cavalry, Joseph T. Tucker, colonel, Nov. 10, 1864; Independent Battalion Cavalry, Bart W. Jenkins, captain; Jessee's Battalion, George N. Jessee; Independent Company (afterwards known as Woodward's Regiment), Thomas G. Woodward, captain, Aug. 25, 1862; Independent Company, James M. Bolin, captain, Nov. 21, 1862; King's Battalion, H. Clay King, major; Independent Company, J. J. Murphey, captain; Moorhead's Partisan Rangers, J. C. Moorhead, colonel; Buckner's Guards, Culvin S. Sanders; Company of Partisan Rangers, William J. Fields, captain, Aug. 1, 1862; Company of Partisan Rangers, Philip M. Victor.

There were other organizations composed in whole or part of Kentuckians of which there is no official record, as Byrne's Battery, which, although first organized in Mississippi, was composed of and officered by Kentuckians almost exclusively. In the service Kentucky contributed to the Confederate army a large number of able and distinguished officers, some of whom are accredited to other states, but most of whom went directly from Kentucky. The following is a list of them:

General Albert Sidney Johnston (Texas); Lieutenant-General Simon Bolivar Buckner; Lieutenant-General John B. Hood (Texas); Lieutenant-General Richard Taylor (Louisiana); Major-Generals: John C. Breckinridge, George B. Crittenden, William Preston, Gustavus W. Smith. Brigadier-Generals: John H. Morgan, Daniel W. Adams (Mississippi), Roger W. Hanson, Basil W. Duke, Abram Buford, George B. Cosby, John S. Williams, James M. Hawes, Ben Hardin Helm, George B. Hodge, Claiborne F. Jackson (Missouri), Joseph H. Lewis, Samuel B. Maxey (Texas), Randall L. Gibson, (Louisiana), Thomas H. Taylor.

Provisional Government of Kentucky.

On Nov. 18, 1861, a Sovereignty Convention was held in Russellville, Kentucky, at which two hundred

members were present for the purpose of forming a state government favorable to a union with the Southern Confederacy. It remained in session three days and adopted a constitution which provided for a provisional government vesting all executive and legislative powers in a council of ten, the council to fill vacancies. The existing constitution and laws were declared to be in force except when inconsistent with the acts of that convention and of the legislative council. George W. Johnson, of Scott county, was elected governor; Robert McKee, of Louisville, secretary of state, and Orlando F. Payne, assistant secretary; Theodore L. Burnett, of Spencer county, treasurer, who resigned December 17, and J. B. Burnham, of Warren county, was appointed in his place; Richard Hawes, of Bourbon county, auditor, who resigned, and Joshua Pillsbury was appointed in his place.

An ordinance of secession was adopted, and Henry C. Burnett, William E. Simms and William Preston were sent as commissioners to Richmond, and on Dec. 10, 1862, the Confederate Congress admitted Kentucky as a member of the Confederate states.

Upon the death of Gov. George W. Johnson, who fell on the second day at Shiloh while fighting in the ranks, the legislative council, which retained its organization during the war, elected Hon. Richard Hawes his successor. While the state was occupied by the Confederate army under General Bragg, Governor Hawes was duly inaugurated and delivered an inaugural address in the capitol at Frankfort Oct. 4. 1862. But the evacuation of the place occurring within a few hours precluded the exercise of any of his official functions.

The Return of Peace.

After the surrender of General Lee at Appomattox and Gen. Joseph E. Johnston at Greensboro, N. C., the Kentuckians who received paroles were, for a time, barred from returning to their homes by an opinion rendered by James Speed, United States attorney-general, himself a Kentuckian. This was to the effect that Kentuckians, Missourians and Marylanders having left their homes to make war on the Union were not entitled to the privilege of the parole. This delayed their return to Kentucky, but after an interval of several weeks the decision was rescinded and gradually the weary exiles returned to their homes, the welcome which they received going far to repay them for the trials through which they had gone and to nerve them for a renewed struggle in the peaceful pursuit of a livelihood. They found the conditions much changed from those attending the Federal occupation of the state, the oppression inflicted upon the people by the satraps like Burbridge, Palmer and Payne had changed the whole current of political feeling. Many who had been prominent at the inception of the war in handing over the state to Federal control, had been sent to Northern prisons or through the lines South, as was Lieut.-Gov. Richard T. Jacob, an early Federal volunteer, near the close of the war. Garrett Davis, who had succeeded Breckinridge in the Senate as a reward for his services in shackling the state, was as severe against the administration at Washington as his predecessor had been four years previously, and was as roundly denounced as an arch-rebel. So that instead of coming home to be disciplined, the Southern soldier was received with open arms, and by none more cordially than by the Union soldier. At the meeting of the first legislature all disabilities were removed,

and at the second a number of ex-Confederates were members; and within two years the Confederate element was in control of the state, magnanimously opposing any discrimination against those who wore the blue, and maintaining ever since the most cordial relations with them. Thus again reunited, the people of Kentucky soon built up the waste places and the state has prospered in every line of physical and intellectual development. The thorough reunion of the people of the state was well illustrated during the war with Spain, when former Confederate officers and soldiers vied with the Federal element in the promptness with which they rallied to the standard of the country, and maintained its honor on the field of battle.

Mountain Feuds.

One of the features of Kentucky life which has excited much comment and given to the state an unenviable reputation has been the feuds which, although confined to the mountain counties, have been credited to the state at large and interpreted as indicating an irreconcilable hostility between the extreme classes, or, as otherwise expressed, between the mountaineers and the aristocracy. This has not only been greatly exaggerated as to the extent of the area in which such disturbances have occurred, but also as to the nature of the lawlessness with which the state has been accredited. The population of Kentucky is more homogeneous than that of any other state in the Union. It is the largest aggregation of English-speaking people on the continent and with less continental element than is to be found in any other body of like numbers. The total population of Kentucky by the census of 1890 was 1,858,635, divided as follows: Native-born, 1,799,279; foreign-born, 59,305; colored, 381,137. By that of 1900

it was 2,380,887, of whom 50,249 were of foreign birth and 284,708 negroes, the remainder being 57 Chinese and 102 Indians. And this ratio of whites and native-born citizens has been maintained from its earliest statehood.

The state embraces an area of about 42,500 square miles with every variety of topography and geology above the archæan. The length from east to west is about 350 miles, and its greatest breadth is 175 miles. Its shape is somewhat that of a triangle, with its apex on the Mississippi River at an altitude of 275 feet above sea level, ascending eastward, gradually at first, but more rapidly after reaching the central portion until it attains an elevation at the Cumberland range of 2,500 feet, with exceptional points in the extreme middle east of 4,000 feet. Its geology includes all the formations from the lower silurian to the quarternary, the variation in altitude giving a corresponding variety in climate and production so that, while in the lowlands of its western portion the production of cotton is practical and the cypress of the South grows in its swamps, in the mountains of the east only the hardy cereals are cultivated, and the forest growth includes the pine and hemlock of the more northern climes. It will be readily seen, therefore, what a wide range there exists within a boundary of such diverse physical features for a corresponding difference in the mental, moral and physical qualities of the residents of the mountains and the less elevated portions of the state. It is not because they are of a different race. They are practically of the same, the foreign population being found chiefly in the cities and the negroes confined to the central and western agricultural portions of the state, there being very few of either element in the mountains, some of the counties having neither. Thus, the

population of that region is almost exclusively composed of native-born whites, chiefly descendants of the original settlers from Virginia and North Carolina, and homogeneous with the great body of the native-born whites of other portions of the state. The mountain section of Kentucky comprises about one-fourth of the state, its boundaries being approximately those of the eastern coal field. The greater part of it is still thickly timbered and threaded with many small streams, the head waters of the Big Sandy, the Kentucky and the Cumberland and Licking rivers, unnavigable except for rafting logs after a heavy rainfall, unless with slack-water improvement. In the narrow valleys and coves the soil is rich, and with good cultivation productive wherever it is level enough for agriculture, but the great drawback either to agricultural or other development was, in early times, and has been until a very recent period, from the inability to ship products requiring land transportation on account of the lack of railroad or other facilities. To understand the situation it must be borne in mind that prior to the War of Secession there was not a mile of railroad within this whole region, and while it was the first portion to receive the footprint of the pioneer it has been the last to feel the awakening touch of modern development.

A thrifty class of immigrants from Virginia and North Carolina, with a strong infusion of Scotch blood, found their homes in these mountains during the two decades following the Revolutionary War. By the natural law of migration which leads those who seek homes in a new country to select one having features similar to that from which they migrate, the ancestors of these movers had settled in the highlands of the colonies even as they had lived in those of their nativity. The same law, when in

their second migration they reached Cumberland Gap, led them to select the mountainous portions of Kentucky as their new home. Someone, in seeking a cause for the difference between the people of the mountains and the richer and more level area has suggested that they were of the convict or indentured servant class transported from England and sold for a term of years. But this is untrue. There was such an element in Virginia and some other colonies, but in the tide of immigration to Kentucky there was no such line of segregation. A few of such may have come to that region, degenerates from the start, but the great body of mountain settlers were as good as the average Kentucky immigrants, with many of wealth and education who brought their slaves. Nor was the immigration to the more favored portions of the state exclusively of the first families of Virginia, as some of their descendants would have us believe, but included many of this convict and indentured class from which grew, on the one hand, a thrifty crop of criminals, overseers and negro traders, and on the other that type which makes itself conspicuous, upon the requisition of wealth, by aping the manners of the well-bred and manufacturing pedigrees to which they have no just title.

The mountain people have been much slandered, and their feudal troubles being of the Scotch type involved but little loss of life and less of property, and in recent years, save, as to the Hargis feud in Breathitt county, lately terminated by the death of the leader, there has been comparatively little disorder. Notwithstanding these conditions, crime and vice of the kind which fosters in certain strata of a higher civilization did not prevail. Robbery and murder for gain were, as they are now, almost unknown. The picture drawn by Macaulay, writing

A SCENE IN KENTUCKY DURING THE COLONIAL PERIOD.

but little over a half century ago, of the conditions in the north of England, is darker by far than the worst conditions which have prevailed in any part of Kentucky: "The seats of country gentry and the larger farmhouses were fortified. Oxen were penned at night beneath the overhanging battlements of 'The Peel.' The inmates slept with arms at their sides. Huge stones and boiling water were in readiness to crush and scald the plunderers who might venture to assail the little garrison. No traveler ventures into that country without making his will. The judges of the circuit with the whole body of barristers, attorneys, clerks and serving men rode from New Castle to Carlisle, armed and escorted by a strong guard, under command of the sheriff. It was necessary to carry provisions, for the country was a wilderness which afforded no supplies. Within the memory of some whom this generation has seen, the sportsmen who wandered in the pursuit of game to the sources of the Tyne found the heaths among the Keeldar Castle peopled by a race scarcely less savage than the Indians of California, and heard, with surprise, the half-naked women chanting a wild measure while the men, with brandished dirks, danced a wild dance."

But as the region, of the conditions of which he draws such a dark picture, has since become, through its developed mines, one of the richest and most enlightened in England, so the penetration of the mountains of Kentucky by railroads within the last two decades has relatively changed the conditions in that much misunderstood portion of the state. The development of its coal mines has made Kentucky eighth in the production of that mineral, the output of that fuel in the eastern coal-field being nearly equal to that of the western, previously the chief source of supply. Schools, colleges and uni-

versities are now spreading their light in regions which so long felt the need of them. Iron furnaces and other similar evidences of physical, as well as social and mental, progress are now to be found in this portion of the state.

During the year 1908 the state was disgraced by the lawlessness of the night riders in the rich and cultured tobacco-growing regions not unlike, in purpose, the famous Barn Burner's organization of New York, which, in the memory of those living, exerted a strong political influence not limited to the state.

Bibliography.—Collins, R. H.: *History of Kentucky* (2 vols., 1874); Duke, B. W.: *History of Morgan's Cavalry;* Durrett, R. T.: *Kentucky Resolutions of* 1798–99 *Southern Bivouac,* 1899; Johnston, J. Stoddard: *Kentucky* (Vol. IX. of *Confederate Military History,* Atlanta, 1899); *Memorial History of Louisville* (2 vols., 1896); Smith, Z. F.: *History of Kentucky* (1 vol., 1901).

J. Stoddard Johnston,

Formerly Associate Editor Louisville Courier-Journal; author of Confederate History of Kentucky.

Chapter III.

KENTUCKY IN THE NEW NATION, 1865-1909.

Conditions at the Close of the War.

The state of Kentucky, being the frontier of loyalty, was swept by Confederate and Union armies, and throughout the war was subject to formidable southern raids and the continued depredations of guerrillas. The devastation had gone far and much

of the productive labor had been driven from the state.

From the close of the period of neutrality, Kentucky was unhesitatingly committed to the Union cause. It is true there were many Confederate homes within its borders and not a little sentiment adverse to the Union, but the great current of Kentucky life from the moment of this public declaration never failed in the most unconditional Unionism.

Only a decade and a half preceding the close of the war, the state had provided for the placing of a block of Kentucky marble in the Washington Monument to bear the inscription, "Under the auspices of Heaven and the precepts of Washington, Kentucky will be the last state to give up the Union," and she meant it with all her heart.

Unreservedly committed to the Union, Kentucky was nevertheless strongly pro-slavery in sentiment and unswerving in her devotion to the idea of local self-government. The closing years of the war were marked by a number of grievances, the first of which was the enlistment of negro troops. The proud spirit of the Kentuckian resented this as an implication that he could not do his part for the nation without calling upon the negroes. In a masterly manner Lincoln answered the objection against the enlistment of negro troops, and though he did not satisfy all minds, the matter was accepted in a tolerant spirit.

There was another cause for dissatisfaction. The negroes of loyal men were set free by the process of enlistment, not only to furnish Kentucky's quota of troops, but to fill the lists from other states. Such deprivation of property was pretty hard to bear. The third cause was found in the restrictions and demands of the commanders in charge of the National troops in the state.

In the early years of the war the Confederacy undertook to establish a provincial government within the state, which beat a hasty retreat from Frankfort within a few hours after the inauguration of its officers. This action, however, was made a basis for continued claims on Kentucky by the Confederate government. In the unsettled conditions of a border state, plundering guerrillas and partisan rangers found large opportunity to ply their nefarious work without those restrictions which would have existed wholly within Confederate or Union lines.

Losses from the war may be briefly characterized as those due to the destruction of life and property, and the loss of the slaves. Since Kentucky was used as the foraging ground of such Southern troops as were free to make raids; as the licensed and approved territory of the guerrillas; as the scene of several battles; since the stock and grain were used on the ground or carried off for supplies; since houses and barns were burned, bridges destroyed, roads torn up, there is no question that the devastation was both serious and expensive. It would take years to make good the loss of even the slaves themselves. These were valued at $107,000,000 in 1860; $54,000,000 in 1863, decreasing to $34,000,000 in 1864.

Besides, when the war had closed, many a soldier from each of the armies returned to find his home destroyed, his business gone, and his place in the world all to be made again. Thousands of these gathered the little of their property that could be found, sold their land for what it would bring, and sought new homes in the great west. Viewed from the standpoint of the state welfare, this large emigration of some of the choicest elements of population was a serious loss.

Kentucky promptly and generously paid nearly

$1,000,000 for maintaining troops for local and state defense. For supplies and expenses met in direct aid of the Federal government, Kentucky expended for the preservation of the Union during the war $3,268,224. Of this sum there had been refunded to the state by the close of 1865 the amount of $1,109,230, leaving a balance in favor of the state of $2,159,994. Deducting $713,965, the state's proportion of the direct tax laid by Act of Congress in 1861, the total balance remaining due against the United States was $1,553,353. From time to time payments were made, but the war claim was a favorite topic with the governors in their messages to the legislature, and twelve years after the war closed, Governor McCreary informs the legislature that he is using every energy to collect from the National government $397,587.27, the sum yet due. The delay was in part caused by the cumbersome machinery necessary for the consideration of the claims, and in part by the need of thorough examination, in order that no unjust claim might be allowed. Kentucky's financial conscience was never better than in the war period. Her people, trained in the long struggle with banks and with the many problems of local finance, had come at last to understand the importance of prompt and willing payment for themselves and for others.

Interpretation of the Constitution and Abolition of Slavery.

Through all the pioneer history the state had stood strongly for local self-government. The resolutions of 1798 were only an extreme statement of that principle. Holding such views it was natural that the people should chafe under the restrictions of martial law, which was necessary in the closing years of the war. The general government early recognized the peculiar spirit of the state and so far

as possible sent as commanders Kentuckians who understood the people. But the citizens were slow to see that matters cannot be administered in war as in peace, so they continued to struggle and chafe against necessary military restrictions. This grew worse in the last days of the war and for months following there was continual wrangle and contention for larger civil rights.

To-day under an established system of government and with mostly fixed conditions of labor, we are likely to make too little allowance for the hardships imposed by the unsettled conditions of the war period; the breaking up of the old system of labor and the necessity of making all things new. The people recognized that slavery was dead, but comforted their hearts with the belief that it was a right granted them under the constitution, and only to be put away by their own choice. Governor Bramlette, strong for the Union and vigorous in his administration, urged the adoption of the Thirteenth Amendment by the legislature as the shortest and most direct way of disposing of the subject. In the refusal of the legislature one may find another proof that Kentucky was still distinctly pro-slavery. Slavery had existed in the border states in a milder form than that found in the far South. In many cases there was a wholesome affection between the slave and the master, which the people had come to regard as a desirable end.

To many of the earnest and energetic people of the North this was a condition either not seen or not understood, and filled with suspicion and distrust of the South, they sought to establish a general means of protecting the negro in his new freedom. To this end the Freedman's Bureau was established and extended to the state. The organization excited great hostility in Kentucky. The governor urged

the local authorities to resist promptly and in legal form every act of the Bureau, declaring that the institution was utterly unnecessary, and that the whole population, being now free, had under the laws security for life and property. Congress had passed an act setting free the wives and children of negro slaves who enlisted in the army from the day of enlistment. Under this act the Bureau required former masters to make full payment to these negroes for the services of their wives and children from the date of the enlistment of the husband and father. This interpretation of the law was clearly unconstitutional, as it deprived the citizens of loyal states of property without remuneration. Suits brought in the courts to recover on these grounds failed of collection but did result in serious irritation, and intensified the strained relations already in many cases existing between the former slaves and their masters. Besides, such payment was often an economic impossibility. Fields left untilled throughout the war had grown up in weeds and brambles; houses and barns had been burned; stock driven away; and the whole territory swept by the besom of destruction. There was no money with which to pay. It was all the people could do to keep body and soul together and to look out upon the world without debt waiting till peace should come. To secure relief from the demands of the military officers and the exactions of the Bureau, petitions and special messengers were sent to Washington. The more objectionable military officers were removed, but the Freedman's Bureau was sustained in the state until 1873.

Peace and Development.

A spirit of true fraternity characterized the feeling in Kentucky, and after the announcement of peace the legislature soon repealed the law of ex-

patriation which stood against all citizens of the state who had cast their fortunes in with the Confederacy. Men came home by thousands and at once set themselves to readjusting the old systems. Neighbors and brothers from opposite sides in the war took up the life in their communities. Brave men always respect brave men, and the citizens of Kentucky had found in their opponents in both armies brave and true men. The foretime soldiers adapted themselves to the new conditions and long before the spirit of freedom and forgiveness was ascendant in other parts of the South, the barriers were down and men recently enemies became friends in old Kentucky.

A new system of labor had to be established. The colonel from the defeated army, who had never done a day's work in his life, came home and began to plow with his saddle horse and a mule. The young lieutenant, who had been in the Northern army, reared as a child of ease and comfort but now only a little more prosperous than his Confederate neighbor, guided the plow behind a team of carriage horses. Some negroes were hired and some continued to live with former masters, all building new homes or restoring the old.

The rich resources of the state were recognized at the close of the war as never before. The legislature was called upon to incorporate numerous companies for mining, manufacturing, oil prospecting and other industries. New homes were established and there was real growth. Still it was soon apparent that with the inflated prices at the close of the war, men had over-rated the money which they could command, and many a good enterprise undertaken in hope was compelled to languish for years for want of funds. Thus there arose in the state a period of apathy.

The Period of Apathy.

With many things to be done and slender resources for the doing of them, what wonder if the citizens sometimes became discouraged and accepted things as they were instead of as they should be. Many of the owners of old plantations who were involved in debt sold their holdings for a song and went to other states to make new homes. Men from the mountains and from other states came to establish themselves in the bluegrass region. Money was in great demand and for a time the meaning of "land poor" was experienced among the people as never before in the history of the state.

But when all who could had returned, it was not the old Kentucky. There was a new régime. Nothing could call to their places again the leaders of Kentucky life who slept in soldiers' graves; and many a man who did return now found his place gone, and the new condition was so hard to bear that he turned his face toward other scenes. Bluegrass farms that had teemed with life and abounded with the hospitality which made the region famous were now sold out in small parcels and a new order of rural life began. But there were other causes of delay.

At the close of the war turbulent spirits from both armies sought the border states, and Kentucky suffered most. Guerrilla bands went on their raids into every part of the commonwealth to steal, to burn, or to kill, as whim or necessity seemed to impel. At one time the pay train on the Louisville and Nashville Railroad was plundered by a gang of robbers who made their escape with nearly $15,000. An organized body of men operated in Marion, Boyd and Mercer counties under the name of Regulators, broke open jails, executed criminals, and went so far as to publish their threats of punishment in the newspapers. Their violence was directed not only

against real offenders in the hands of the law, but against all who provoked their resentment. They even warned the governor of the state to issue no more proclamations against them on pain of their vengeance. With the approval of the United States government, a plan was put in operation to enlist 10,000 troops to protect the state. A part of these were enrolled, but the plan did not prove satisfactory. The state was relieved from martial law and came to depend upon the militia and the local police. The courts were opened for the redress of grievances, but disorder in one form or another was prevalent until 1873.

In cases involving controversies between members of their own race, the negroes had long been recognized in the courts. But the unwholesome activity of the Freedman's Bureau caused the legislature to withhold legal sanction from the testimony of the negro during the period of the Bureau's occupancy of the state, and he was not generally admitted as a witness. At once after the removal of the Bureau, a law was passed bestowing upon him the full rights and privileges of the courts.

Immediately following the war, the Regulators mentioned in a previous paragraph began to appear as guardians of the public welfare and promoters of law and order. Great companies of freedmen gathered in the vicinity of the towns without adequate means of support, and petty thieving became general. The negroes had very hazy ideas of the rights of property, and long accustomed to regard themselves as immediately identified with some particular plantation, found it easy to go to the cribs and hen-roosts of their neighbors to help themselves. To suppress the disorders thus arising, the Regulators were organized. Later the Ku Klux arose and doubtless did much to rid the country of objec-

tionable characters, but as with all organizations for government and correction beyond the law, the management soon fell into the hands of men who used it chiefly to gratify personal spite and to wreak long-delayed vengeance. The arm of the law was paralyzed and the preservation of order fell into the hands of ruffians who maintained a reign of terror throughout the whole region. This was suffered until public opinion arose to the point which swept these organizations aside and again placed the government in the hands of the civil authorities. But in these dark hours the state had been gaining strength and it was now ready for new and better things.

A New Awakening.

The old system of labor was gone. One makeshift and then another had been tried, but soon the leaders of the state life began to plead for immigration, and references to it found place in the messages of succeeding governors. According to the governor's message to the legislature in 1876, Kentucky had a population of only thirty-three people to the square mile. Of the 291,297 immigrants that came to the United States in that year, 34,000 went to Illinois, 30,000 to Pennsylvania, 10,000 to Ohio, 3,700 to Indiana and but 800 to Kentucky. In 1880 the Bureau of Immigration was established. The next year was marked by the coming of a Swiss colony to southeastern Kentucky, with headquarters at Bernstadt, where a prosperous settlement was established. In 1882 the secretary of the Department of Immigration went to Europe and his visit resulted in bringing a number of colonists to the state. But interest in immigration proved to be of short duration, and even to-day but a proportionally small number of foreigners are found in Kentucky, and these chiefly in the cities and towns. But Ken-

tucky, always blessed with a fecund population, has greatly increased in numbers and sent thousands of sons and daughters to populate new states. By the census of 1890 more than 400,000 were reported as natives of Kentucky settled in nearby states.

The Negro To-day.

To-day many negroes are doing well. They have bought land and have established homes where they live in rude comfort and abundance, and not a few of them in the midst of real culture. But by far the larger number hold little property. The old days of general manual labor for the negro have very largely passed away. Thousands have crowded to the cities, where under Kentucky's generous law they are educated in their own schools, the money being collected on the total taxable property and distributed, not in accordance with the amount the negro pays, but in proportion to the population. In some of the cities there are lawyers, doctors and other professional men who are making an excellent record for themselves, but the masses of the people still have a long road to travel in order to arrive at the degree of excellence which their best friends wish for them. In the old days there was at every crossroads a blacksmith shop with negroes as workers. To-day these shops are fewer and are manned almost entirely by white workmen. In the old days the stacking of the wheat and the more skilled parts of the farm labor were done by negroes. The young negro has not followed in his father's footsteps in these attainments, and though he is an excellent waiter and often a useful man in the town, he does not aspire to efficiency in rural life. A musical census taken by the colored school superintendent of one of the cities resulted in the finding of about $40,000 worth of musical instruments in the hands

of negroes, a sum that would have been sufficient to start a prosperous negro bank.

The Mountain Region.

In the early eighties the wealth of the mountains began to be recognized, and numerous companies were organized, chiefly from beyond the borders of the state, to exploit timber and minerals. Large tracts of native forests were purchased by timber companies and various syndicates bought the land outright or purchased the mineral right to thousands of acres underlaid by beds of coal. The railroads began to thread their way up the river valleys and into mountain coves, here and there piercing a ridge by a tunnel, but mainly winding in and out through the narrow valleys. The Louisville and Nashville Railroad, with one great branch from Louisville to Nashville, soon determined to make connections from Cincinnati southward along the foothills of the Cumberland and through the mountains to Knoxville, and so leading on to Atlanta. The Southern Railroad, occupying an admirable location in the southern part of the state, pressed into the contested region adjacent to its lines, and many a secret midnight survey to lay out a roadway was made by the engineering corps of the two roads. There are scarcely to be found in the history of railroad building more striking and dramatic incidents than those participated in by the men who located the branch lines tributary to these two systems.

Wherever a railroad has been opened, a new period of prosperity soon declares itself. Little towns spring up, and at the junctions boom towns are sometimes started. Middlesboro, Kentucky, benefited in this way, and was planned as the great metropolis of the mountains. But its promoters looked forward to larger things than they could

accomplish, and the boom burst. But gradually the little city in the mountains gathered strength and went on toward prosperity, and for the last decade has been marked by a wholesome growth which promises well for the future. Branch roads are now running into many of the mountain coves. The roads leading out from Louisville like so many fingers of a great hand are spreading the trade to the mountain region of the south and east and bringing groaning loads of coal and timber back to exchange for the manufactures and the food supplies of the great Mississippi Valley. By its energy and enterprise, Louisville has won its right to be called the gateway of the South. In 1872 a charter was granted the Queen and Crescent Railroad from Cincinnati to Chattanooga, and Cincinnati's merchants had good hope that they would capture the trade of the South. The road does indeed contribute greatly to the commercial development of the South and benefited the business of Cincinnati, but the advantage of the southern trade still lies with Louisville.

The timber products amounted in 1907 to $14,539,000. These figures represent the handlings of the larger companies, but necessarily do not include many small purchases and much of the timber devoted to domestic use. A large share of the state has been cut over by lumber companies, but here and there in regions still inaccessible by railroad or by the larger streams is found the primeval forest.

Moral and Religious Growth.

Any record of Kentucky life which has failed to take note of the churches must be sadly lacking. The leading denomination is the Baptist. It was the first on the ground in the settlement of the state and has carried on a vigorous work to the present time. The denomination has undergone many changes, and

particularly in eastern Kentucky, is split up into a number of different divisions, some of them very primitive in their conceptions. The Baptists are closely followed in numbers by the Methodists, Disciples of Christ and Presbyterians, besides a number of other leading denominations. The state has throughout its history been marked by a strong devotion to religious and moral ideas with much emphasis upon church organization and sectarian beliefs.

One of the first Bible Societies in the United States was organized in Lexington in 1810. The Society carried on an extensive work and distributed many Bibles printed in Lexington.

The Y.M.C.A. was organized in a pioneer fashion in the earlier days of Association work in the United States. The many branches of the association grew to such an extent that supervision through the volunteer service of members of the state and national committee proved inadequate, so in 1889 provision was made for a state secretary, and Mr. Henry E. Rosevear for nineteen consecutive years filled the office. From a body of fifteen organizations and a membership of 1,276, the Kentucky work has grown to number fifty-three organizations with a total membership of 8,000 men. Kentucky has been a leader in county and railroad work, besides giving adequate attention to the work of the city associations and of the colleges. These were nineteen years of hard work and much accomplishment. On the retirement of Mr. Rosevear, Mr. Philo C. Dix, one of the assistant state secretaries, was chosen as his successor.

The Era of Progress.

Beginning with 1876, Kentucky has been represented at the great Fairs of the country. The exhibit at the Centennial was mainly of the minerals

and natural products of the state, and was provided for by a fund of $30,000 raised chiefly by the leading women of the commonwealth. Kentucky had a very satisfactory exhibit at the Columbian Exposition in 1893, adding to the mineral and agricultural products an extensive showing of choice livestock. In 1904 the exhibit at St. Louis surpassed all previous records, and did high credit to Kentucky's rank among the agricultural states of the Union. Besides the large mineral and agricultural supplies, the extensive exhibit of grains and tobacco, Kentucky had an unusually fine display of livestock.

In 1890 steps were taken toward the preparation of a new constitution, which was finally adopted by the people in September, 1891. It provided for a distinct advance in the problems of government and was particularly happy in making an end of lotteries, which had for a long time been a burden to the state. Throughout its history, Kentucky has not been particularly favorable to private corporations, but with the organization necessary to develop the mineral resources and with the trend toward city life, there has grown up a new sense of the value of this form of organization to the development of wealth in the state, and a more favorable attitude is already apparent.

As in other states, there are doubtless a number of citizens not yet in the penitentiary who ought to be there, but Kentucky has in that institution even a larger proportion than in many states would be so sentenced. Under the state law, a culprit may be convicted of grand larceny for stealing a hog of the value of four dollars, for stealing any kind of a horse, jack or jeannette, and for taking money amounting to twenty dollars or more. In many of the states, persons convicted of these violations of the law would never reach the penitentiary, but

would be sentenced to confinement in the county jails.

"It is not to be denied that there is a great deal of ordinary homicide in Kentucky. It is not a new feature of the life of the state, or of the race to which its people belong." Those who made the state in the olden days were not gentle-natured, but dowered with the vigor and the "brutal English stuff" which "has given their kindred the control of the world." It is true nevertheless that this people have set a low value upon human life, a thing always true when they live near to the soil, and sometimes true when other goods are placed relatively high. But excusing it as we may and making all due allowance for the baneful effects of the war and the period of lawlessness which followed thereafter, for the penalty of Kentucky's location as a border state—yes, even justly attributing it partly to the independence of the Kentuckian and his impatience under unjust criticism, it still remains true that this attitude of the public mind is a most serious blot on the character of the people and responsible to a greater degree than any other cause for the criticism and censure which has been bestowed upon Kentucky by her sister states. Already her more thoughtful citizens are taking strong ground against this feeling, and there is no reason why the old spirit of independence, personal bravery and high sense of honor may not be preserved to the Kentucky character while there is a growing sense of the sacredness of human life and a material increase in the safety of the people.

The feud is another painful feature of Kentucky life which has done much to place an undeserved stain upon the state as a whole. The civil power had a long struggle after the war to establish its ascendency. Judge Lilly wrote as follows: "In 1888

I failed to hold the regular fall terms of Letcher and Knott Circuit Courts and in 1889 the regular fall terms of the Perry and Knott Circuit Courts. The counties of Knott and Perry are absolutely dominated and terrorized by savage and lawless bands. All respect for justice and the peaceful and orderly administration of the law is not only set at defiance, but the most high-handed outrages are perpetrated in the presence of the Court and with the purpose and object of terrorizing and intimidating the officers of justice. At the peril of my life, frequently narrowly escaping death, I have held the Circuit Courts in these counties. Before the fall term for 1888 in these counties came on, I had knowledge of feuds existing in both the counties of Knott and Perry of the most deadly and malignant character. Hostile bands in these two counties constantly menaced each other. Deadly conflicts between the opposing factions were of almost daily occurrence. The Circuit Court drew together at the Court House the factions from all sections of the county, and collisions with unnecessary fatal and demoralizing results were inevitable."

The feeble hold of the civil power in the seven years following the war had doubtless much to do in developing among the people the spirit of redressing their own wrongs, but the feud is simply another manifestation of that spirit which required every man in the day of Queen Elizabeth to carry his side arms and to right his personal wrongs and any others with which he chose to concern himself. The feud often arises in a most trivial way from some grievance reflecting upon the honor, personal character or prowess of one of the leaders or of his trusted lieutenants. The contests have rarely resulted either in the condition of lawlessness or the number of deaths which the newspapers have de-

lighted to attribute to them. Frequently in a feud extending over several years and involving a large share of the citizens of a county on one side or the other, the deaths would number but a few men. It is one of the remarkable characteristics of these conflicts that the lives and property of strangers who have been traveling through the country have been uniformly respected, and even local citizens who may be able to keep out of the difficulty have been safe from the vengeance of both parties and have suffered only when they came between two of the contestants engaged in an encounter. Kentucky's feuds have occurred for the most part in the mountain region, and the leader on one side or the other, established in his mountain fastness, keeps about him his retainers whom he has supported and furnished with arms. Many of the features both of the preparation and of the encounter remind one of the days of Cedric the Saxon. The hate aroused by the feud is implacable, and the feud usually continues until the adherents on one side or the other are killed off or move to some other state. One of the oldest and most serious of these was that which occurred in Breathitt county, giving to the shire the name of "Bloody Breathitt," and known as the Hargis-Marcum feud. The Hargis clan was strong and well organized and its leader, Judge James Hargis, was long an important factor in the counsels of his party in the state. This feud was marked by a number of assassinations, the last being that of Dr. B. D. Cox, a prominent opponent of Judge Hargis in state politics. The murder took place in 1903. Three times was Judge Hargis tried on the charge of complicity in the assassination of his opponents, and in the case of Dr. Cox it was decided that the trial could not be carried on impartially in Breathitt county, hence proceedings were

moved to Sandy Hook, Eliot county, a hamlet in the mountains inaccessible by telegraph, telephone or railroad. At the trial, which was marked by many sensational incidents, Judge Hargis was acquitted. Some months later, while in his own store at Jackson, he was shot by the hand of his own son. The general feeling of the state is against feuds, and the progress of improvements and the ascendency of the commercial spirit will doubtless put a termination to this survival of Elizabethan days.

The Goebel Trial.

In 1898 the legislature passed a bill, known as the Goebel Law, which provided for the counting of the votes by an election board and was looked upon as a measure placing an unfair amount of power in the hands of the Democrats. Kentucky is naturally Democratic, but in the gubernatorial election of 1899 the Democrats were divided on the question of free silver and greatly handicapped by factions which existed in the party. The board of elections organized under the Goebel Law decided in favor of Governor Taylor, the Republican candidate. William S. Goebel, the Democratic candidate, gave notice that he would contest the election. Public feeling ran high. The matter was brought before the legislature, and with discussion the civil order was imperiled, and when the time came for the consideration of the contest by the legislature the public interest and attention were wrought to their highest pitch. On Jan. 25, 1900, a train bearing between five hundred and one thousand armed men from the southern and eastern part of the state rolled into Frankfort. This heavily armed company met in a peaceful manner and petitioned the legislature that the will of the people should be regarded in the election contest then under consideration. There

was much bitterness, not a little boasting and some threats. So matters continued while the subject was under consideration until January 30, when William Goebel was shot by the bullet of an assassin from the State House. Great excitement prevailed and the state at large was dumbfounded. Governor Taylor placed a military guard around the capitol, and adjourned the legislature to meet at London in the mountains, declaring that a state of insurrection existed. The Republicans went to London, and the Democratic members of the legislature, shut out from the capitol and the Opera House by the militia, at once prepared a statement setting forth these facts and declaring Goebel and Beckham elected as governor and lieutenant-governor. This statement was signed by nineteen senators and fifty-six representatives. Mr. Goebel's death was hourly expected, but he was sworn in as governor. The Chief Justice of the state held that the action of these men was valid, and Mr. Beckham took the oath as lieutenant-governor. Governor Goebel died on February 3 and Mr. Beckham was then sworn in as governor. The Republicans refused to give up the offices. Applications for injunctions were made by both sides, and finally a committee of seven men prepared an agreement by which, if the legislature should ratify their action, the Republicans were to submit without further prejudice, with immunity from charges of treason, usurpation or any such offenses, and all parties were to unite for a free and fair election law. This agreement Governor Taylor refused to sign. The injunction suits were then consolidated into one. The Circuit Court decided that the legislature is, under the constitution, the proper tribunal for the settlement of such contests, and the decision was affirmed by the State Court of Appeals. When carried by the Republicans to the United States

Supreme Court, that body decided that it had no jurisdiction in the case. Until this time there had been two acting governors, but when the decision was made known, Governor Taylor directed that the militia should be dismissed from the capitol and that its commander should surrender his office to Governor Beckham's appointee. The legislature set aside a fund of $100,000 for the apprehension and prosecution of the assassin of William Goebel. Warrants were issued for men suspected of complicity, and on March 10 the Grand Jury returned indictments against ten men for participation in the killing, and indicted as accessories before the fact five others. Among these were Governor Taylor, Charles Finley and Caleb Powers. Taylor and Finley escaped to Indianapolis, where the governor of Indiana refused to honor a requisition from the governor of Kentucky on the ground that these men could not have a fair trial in that state. The trial of Caleb Powers was begun at Georgetown, July 9, 1900. Several of the principal witnesses for the prosecution were among those who were accused as having been in the plot to murder Mr. Goebel. Three times Mr. Powers was found guilty with penalty fixed at death or imprisonment for life, and each time a new trial was granted by the Court of Appeals. At the fourth trial the jury disagreed, and Caleb Powers, along with James Howard, who had already been sentenced to the penitentiary, was finally pardoned by Governor Willson in June, 1908. It is not too much to say that from the passage of the Goebel Law in 1898, the chief issue in Kentucky politics was either this law or its author, William Goebel. Probably no man was ever loved more ardently or hated more violently than he. Every question in state politics was viewed in its relation to the Goebel Law or to Goebel. After his death, the cause had

a martyr, and the Republicans, who were gaining a strong foothold in the state, were submerged in the hopeless and violent change of sentiment. It was felt that some one should be punished for the outrageous assassination of Governor Goebel. Political hate and untoward circumstances pointed toward Caleb Powers, and this man, also devotedly loved or violently hated in accordance with the viewpoint of the person concerned, though uncondemned, spent eight years in the prime of life in a Kentucky prison.

Agricultural and Mineral Products.

Almost from the first of its history as a state, Kentucky has stood first in one or more of the agricultural staples. For 1900 the leading crops were as follows: Corn, 3,300,000 acres, 93,060,000 bushels, valued at $49,322,000; wheat, 734,000 acres, 8,808,000 bushels; oats, 192,000 acres, 3,379,000 bushels; potatoes, 37,000 acres, 2,960,000 bushels; hay, 443,000 acres, 598,000 tons; tobacco, 270,000 acres, 240,278,000 pounds, valued at $24,529,000. Both the production and value of tobacco were then twice as great as that of North Carolina, the state ranking second, and more than one-third of the total for the entire country.

In 1907, the coal output of Kentucky was 9,653,647 tons, worth $10,425,000. In the year preceding, pig iron was manufactured in the state to the value of $2,077,000.

Few agencies for the development of the state have been more fruitful in their good effects than the State Development Convention, an annual meeting of certain citizens of Kentucky for promoting the general interests of the commonwealth. From year to year this enterprising organization has reported on the needs of the state, on the opportunities of various regions, and the possible steps in

financial, educational and intellectual progress. The Kentuckian has looked too little beyond his own borders for the lessons of prosperity and advancement. But the leaders are alert, and a thousand agencies are now at work to promote the progress of the state. The homecoming week in 1907 was warrant enough for the pride which the Kentuckian feels in his state and people. Thousands who returned from the centres of activity and industry in other states were delighted with the progress of the home state; and thousands who remained at home were charmed with the achievements of the brothers and cousins who were sustaining themselves in other commonwealths.

In the eighties, turnpikes were laid out and built in many parts of the state. These improvements were made as a private enterprise, but the county and state took a large amount of stock to promote the building of these pikes. After a time the people grew tired of paying toll, sometimes enforced for travel over roads that were not kept in good repair. Many of the counties voted to purchase the toll roads, but the officers were slow and the people impatient, and a series of outrages against toll-gates and even against the gate keepers was now inaugurated. Public opinion seemed to condone these outrages with the thought that the pikes could be purchased at a less figure and that the local taxes would thus be less. The governor records in his message in 1896 that the state holdings in the local turnpike companies had sunk from $400,000 to $100,000 on account of the damages and dangers to toll-gate keepers. The outrages continued until all the roads were made public property.

The New Social Consciousness.

In spite of some disorder, there appeared in the early years of the Twentieth century many signs of

a new social consciousness. The State Historical Society was organized and began to gather documents and material of great value. Many a garret was ransacked for old journals and for guns, knives and household utensils that had been used in the pioneer days of the commonwealth. The Daughters of the American Revolution aroused much interest throughout the state. Family trees were studied, and genealogical investigation became one of the favorite pastimes of not a few of the leading ladies of the state.

In 1896 a monument was erected at Bryan Station Spring to the memory of the women of that place, who, as the inscription records, "faced a savage host in ambush and with heroic courage and sublime self-sacrifice that will remain forever illustrious, obtained from this spring the water that made possible the successful defense of that station."

As land became more valuable, small farms were continually in demand, many a farmer tilling his own land with the help of his sons and one or two hired men. There was a steady increase in the number of small farms from 1870 to 1880, and in every decade since.

But on the larger farms, where stock-raising was practised, a regular system of tenant farming was soon inaugurated. Men of skill and determination were needed to care for the stock and particularly in training the fine horses for which Kentucky has long been famous. The finest cattle of the state have been cared for on these bluegrass farms. The rural mail goes everywhere, and the farmer, who formerly went to the county seat once a week, may now sell his grain or stock and order supplies by telephone from his own home.

The war upon the trust by various tobacco growers' associations began in 1905, continuing

through 1907. The growers of southern Kentucky were organized by the Planters' Protective Association. Other districts were organized by the American Society of Equity, such combinations of the farmers being expressly legalized by the Kentucky legislature. The fight has been most important in the Green River and Burley districts, where 80 per cent. of the tobacco product has been sold to the American Tobacco Company. This organization has been accused of unfair manipulation of the markets and unjust discrimination against growers. Through their associations the growers pooled and kept from sale part of the crop of 1905, about 32 per cent. of the crop of 1906, and about 70 per cent. of the 1907 crop, making in all about 200,000,000 pounds which is held for fifteen cents a pound. The fight has resulted in raising the price of tobacco to a marked degree, but the whole question of the raising and sale of this crop is now involved in a difficult and uncertain controversy.

Parties of men made demonstrations against independent tobacco growers who refused to join in opposing the trust and keeping up the price of tobacco. On Dec. 7, 1907, five hundred of the night riders, masked and heavily armed, entered the village of Hopkinsville and destroyed property valued at $200,000. Many shots were fired, two men injured and damage done to buildings, newspaper offices and banks. An appeal for militia was refused by Governor Beckham, who ordered a local company of Kentucky troops to report to the sheriff for duty. At once on taking his seat, Governor Willson began action to stop the raids. Troops have been sent from place to place, rewards offered for the disturbers of the peace; but all these agencies have only been partially successful. New conditions have brought about new complications. The Italian

Government appealed to the Secretary of State on account of the destruction of the property of Italian citizens in Hopkinsville, valued at $15,000.

A wave of prohibition sentiment has swept over the state, and now out of 425 towns, 370 are dry; and out of 119 counties, 94 have prohibition; and out of a population of 2,320,000, 1,500,000 inhabitants are under the local option law. This change may be assigned to four causes: First, there has been a growing sentiment in the state against the use of liquor; second, the larger share of homicides have been traced directly to the use of liquor and there is a general feeling that life is much safer without whiskey than with it; third, the negroes are more orderly and industrious without liquor; and fourth, the direct and active efforts of the Anti-Saloon League have focused this sentiment and brought much local support to temperance ideas and temperance legislation.

Educational Conditions.

In her early history Kentucky emphasized the education of leaders. Her sons were trained at private schools and had large place in molding the policies of the nation and in the development of the rural life of the state. In those days the common-school was regarded as only fit for the charity student, and it was carried on for a few weeks or months every year. Kentucky's system of education has depended chiefly on state aid, and the children in many quarters have suffered. But the leaders in education for a decade have been agitating for longer terms of school and better-trained teachers and better equipment. Wonderful progress has been made. The school buildings of the state are greatly improved. Two choice normal schools, that for the eastern district located at Richmond, Ky.,

and that for the western district located at Bowling Green, are now offering the most up-to-date and thorough training for the teachers of the state. The legislature of 1908 voted $300,000 for buildings and equipment, which joined with that granted to the State University, makes the largest single appropriation ever made in Kentucky to education.

Under act of Congress in 1862, Kentucky was entitled to 330,000 acres of land for an agricultural and mechanical college. The gift was accepted in 1863, but was not available until two years later, when the state legislature accepted the proposition of President Bowman of Kentucky University, and the agricultural and mechanical college became a part of that institution. Thirteen years later it was detached from Kentucky University and became an independent institution at Lexington, with Professor J. K. Patterson as president. In 1880 the institution was granted full collegiate powers. Since then it has developed in all departments, being particularly strong in agricultural and mechanical lines. The institution has grown until now it has twenty-four buildings and 250 acres of land, and a faculty of fifty. In March, 1908, its standard was raised by act of legislature from college to university rank and $200,000 was voted by the legislature for new buildings and equipment. Work below the freshman class is to be discontinued, and departments of law and of medicine will be added to the institution. This youngest sister among the state universities bids fair to work out her problems and to carry her part among the vigorous educational institutions of the nation.

Kentucky has long been noted for the large number of private academies and small colleges. These have been growing and increasing in excellence from year to year. There is a tendency toward the estab-

lishment of the educational work on better and stronger foundations. The leading denominations are represented by educational institutions and their supporters are busy in providing new buildings and modern equipment.

Chief among the institutions for the application of knowledge to industrial life is the State Agricultural Experiment Station, established at Lexington in 1885, which has steadily broadened its scope until now it is concerned with all the leading topics of Kentucky agriculture and saves thousands of dollars to the farmers of the commonwealth by giving expert advice in protection against insects, plant diseases, epidemics among hogs, cattle and other farm animals. It also tests fertilizers and other manufactured articles used in rural life.

Conclusion.

So reads the record of the experiences of this noble old state since the closing of the war. The New Kentucky is an established fact. Mine owners have gone into the depths of the earth and brought out immense quantities of coal and iron. Men have gone to the mountain tops and into the mountain coves and brought out timber in abundance. Busy trains rush here and there, north, south and west, with these large products of the mills. But Kentucky is still an agricultural state. The rural attitude and the rural idea still obtain, but it is no longer the isolated life and the restricted outlook of the earlier days. Telephones are found everywhere. Rural mail delivery exists in all parts of the state where good roads are found. There is more work, more progress, more machinery and more enthusiasm everywhere. Stores have sprung up at many of the crossroads. The electric car runs from town to town, binding the people together in new commer-

cial and social bonds. A new agriculture has come to stay, and signs of a new rural life are everywhere apparent. Kentucky is slowly growing rich, but best of all, this rare old state, with treasures of heart and brain, with its old-time hospitality, with its tendency for national politics, is also becoming national in its interests and thought.

BIBLIOGRAPHY.—There is no extended history covering this period; for special topics and years consult Allen, J. L.: *Blue-grass Region of Kentucky and other Kentucky Articles* (New York, 1900); Breckinridge, W. C. P.: *Address at the Centennial Celebration of Breckinridge County* (Frankfort, 1882); Collins, R. H.: *History of Kentucky* (Covington, 1874); Connelly, E. M.: *Story of Kentucky* (Boston, 1890); Haney, W. H.: *The Mountain People of Kentucky* (Cincinnati, 1906); Hughes, Schaefer and Williams: *That Kentucky Campaign* (Cincinnati, 1900); Kinkead, E. S.: *History of Kentucky* (1896); Lipscomb, A. B. (ed.): *Commercial History Southern States, Kentucky* (Louisville, 1902); Ousley, C. C.: *Kentucky and the Jamestown Exposition* (1907); Powers, Caleb: *My Own Story* (1905); Perrin, Battle and Kniffin: *History of Kentucky* (Louisville and Chicago, 1887); Shaler, N. S.: *Kentucky* (Boston and New York, 1884); Smith, Z. F.: *History of Kentucky* (Louisville, 1890); Speed, Thomas: *Union Cause in Kentucky* (New York and London, 1907); *Biographical Encyclopedia of Kentucky's Dead and Living Men of the Nineteenth Century* (Cincinnati, 1878); *Century Magazine: The Kentuckian* (Vol. XXXVII.); *Encyclopedia Americana,* article *Kentucky* (Vol. IX.); *National Cyclopedia of American Biography,* article *Governors of Kentucky* (Vol. XIII.); Register of State Historical Society; *History of Higher Education in Kentucky* (U. S. Bureau Education, 1899); United States Geological Reports; *American Journal of Sociology: Eastern Kentucky, A Retarded Frontier* (Vol. IV.) and *Feuds of the Kentucky Mountains* (Vol. VII.); *Geological Journal: Anglo-Saxons of Kentucky* (Vol. XVII.); *Harper's Weekly: The Kentucky Insurrection* (Vol. XLIV.); *International Monthly: Social Condition in Kentucky* (Vol. I.); *McClure's: State of Kentucky vs. Caleb Powers* (Vol. XXII.).

GEORGE ALLEN HUBBELL,

Professor of Sociology and Economics, Kentucky University.

THE HISTORY OF WEST VIRGINIA.

Chapter I.

WHILE THE TWO VIRGINIAS WERE ONE, 1750-1861.

Geography of West Virginia.

THE State of West Virginia has the most irregular outline of all the American states. It is situated between 30°6′ and 40°30′ north latitude, and between 0°40′ and 5°55′ longitude west from Washington, or 77°40′ and 82°55′ from Greenwich. The area is 24,715 square miles. This is almost twenty times that of Rhode Island, twelve times that of Delaware, five times that of Connecticut, three times that of Massachusetts, and more than twice that of Maryland. The state embraces four distinct physical regions or sections: (1) the Ohio Valley Region; (2) the Cumberland Plateau; (3) the Allegheny Highland, and (4) the Potomac Region. The boundaries of each are well known to those who have given attention to the topography of the state. There are fifty-five counties, and with the exception of two—Berkeley and Jefferson—on the upper Potomac, or in the Lower Shenandoah Valley, and six others—Morgan, Hampshire, Mineral, Hardy, Grant and Pendleton—all lie in the Trans-Allegheny Region and are drained by northwestward flowing rivers into the Ohio. Here, amid these hills and mountains, white men have made nearly two centuries of civil and military history.

Early Explorations.

All over the state are the evidences of the existence of a people now long gone. These consist of mounds which dot the landscape, and implements, weapons and ornaments scattered over the surface or upturned by the plowshare. They are interesting to the antiquarian, but have no place in history, for neither in blood, manners, speech nor law, have these people left a mark in all the land in which they lived. The Indian occupation of this region is an interesting topic. A band of Mohegans was on the Kanawha River in 1670; still later the Conoys or Kanawhas, whose name has been given to this river, were on its upper tributaries; the Cherokees claimed that portion of the state lying south of the Great Kanawha; the Shawnees were living on the Upper Potomac and along the South Branch of that river in the first half of the Eighteenth century; the Delawares lingered in the valley of the Monongahela as late as 1763, while bands of Mingoes, Wyandotts and Miamis roamed over the whole extent of the state as a common hunting ground.

West Virginia was not included in the first grant made by King James I., in 1606, to the Virginia Company of London. It was, however, included in its chartered limits in 1609, and thus the state became a part of Virginia when the infant colony at Jamestown had existed but two years. It became a land of discovery and exploration. The first West Virginia river known to white men is called New River; it was discovered in 1641-2 by Walter Austin, Rice Hoe, and their associates. In 1670 John Lederer, a German explorer in the service of Sir William Berkeley, in company with a Captain Collett and nine Englishmen, left the York River, passed the source of the Rappahannock, and from the crest of the Blue Ridge, near what is now

KANAWHA FALLS, WEST VIRGINIA.

Harper's Ferry, looked down upon the Lower Shenandoah Valley, beyond which they beheld in the distance, standing like a towering wall, the Great North Mountain and other summits, in what is now Berkeley and Morgan counties, in West Virginia. The same year Governor Berkeley issued to General Abram Wood, a commission "for ye finding out of ye ebbing and flowing of ye water on ye other side of ye mountains." Under this authority he, the next year, sent out a party of five persons under the command of Captain Thomas Batts for this purpose. They left the site of the present city of Petersburg, on the Appomattox River, journeyed westward to the Blue Ridge, which mountain barrier they crossed, and descended into what is now Monroe county, West Virginia. Pressing onward they beheld the high cliff walls of the cañons of New River, and on the evening of Sept. 16, 1671, they reached the falls of the Great Kanawha, where they "had a sight of a curious river, like the Thames at Chelsea, but had a fall that made a great noise." The next day they took possession of the valley of this river for the King in these words: "Long live Charles ye 2d, by the Grace of God, King of England, Scotland, France, Ireland, Virginia and of all the Territories thereto belonging." Then they set up a stick by the water-side to ascertain the ebb and flow; marked some trees, and discharged fire-arms, after which they began the homeward march. Such was the discovery of Kanawha Falls 237 years ago. Forty-five years thereafter, Alexander Spottswood, lieutenant-governor of Virginia, became interested in exploration to the westward of the Blue Ridge. Equipping a party of thirty horsemen and heading it in person, the cavalcade left Williamsburg and journeyed onward through the Piedmont Region, passed the "great divide," by way of Swift Gap, and de-

scended to a river now known by the name of Shenandoah, but to which the explorers gave that of "Euphrates"—the first Christian name bestowed upon a West Virginia river. Far away to the westward they beheld the mountain peaks, around the "Birth-Place of Rivers," in West Virginia. Such was the origin of the "Knights of the Golden Horse-Shoe," a title bestowed by Spottswood upon those who accompanied him.

Settlements Before 1754.

The first quarter of the Eighteenth century passed away, and all this region remained a primeval wilderness; but the time was near at hand when white men should come to occupy the land. In 1725 John Van Meter, an Indian trader from the Hudson River, traversed the Lower Shenandoah, Upper Potomac and South Branch Valleys, but the honor of fixing the first permanent home of civilized men in West Virginia was reserved to another. This was Morgan Morgan, who, in 1726-7, reared his home on the site of the present village of Bunker Hill, in what is now Mill Creek magisterial district, in Berkeley county. He was a native of Wales who came early in life to Pennsylvania, and thence to the Shenandoah Valley. He was soon followed by some German people from that colony whose ancestral home was Mecklenburg in the Fatherland; they crossed the Potomac at the "Old Pack-Horse Ford" in 1727, and a mile above, on its southern bank, among the masses of gray limestone everywhere visible, they laid the foundation of a village which they called New Mecklenburg. This is now Shepherdstown, the oldest town in West Virginia. Soon after Richard Morgan obtained a grant for a tract of land near Mecklenburg, where he made his home. Among those who came about 1734 and found homes

along the Potomac River, in what are the present counties of Berkeley and Jefferson, were Robert Harper (at Harper's Ferry), William Stroop, Thomas and William Forester, Van Swearingen, James Foreman, Edward Lucas, Jacob Hite, Jacob Lemon, Richard Mercer, Edward Mercer, Jacob Van Meter, Robert Stockton, Robert Buckles, John Taylor, Samuel Taylor and John Wright. In 1735 the first settlement was made in the valley of the South Branch of the Potomac, in what is now Hampshire county, by four families of the names of Cobun, Howard, Walker and Rutledge. A year thereafter Isaac Van Meter, Peter Casey, the Pancakes, Foremans and others reared homes further up the South Branch, some of them within what is now Hardy county.

A land grant which played an important part in the early settlement of West Virginia was that known as the "Lord Fairfax Patent." In 1681—forty-five years before a white man found a home in West Virginia—King Charles II. issued letters patent to Ralph Hopton; Henry, Earl of St. Albans; John, Lord Culpeper; John, Lord Berkeley; Sir William Morton, Sir Dudley Wyatt and Thomas Culpeper, their heirs and assigns forever for all the lands situated between the rivers Rappahannock and Potomac, and bounded by the courses of these rivers. Years passed away; the proprietors died, and the vast estate descended to the sixth Lord, Thomas Fairfax, who had wedded Margaret, the only child of Lord Culpeper. At the time of the original grant nothing was thought of its extent west of the Blue Ridge, but as the region drained by the upper tributary streams of the Potomac became known, it was seen that a large portion of it would be included within the limits of this grant. Commissioners were therefore appointed—three by the King, and three by Lord Fairfax—to determine its

boundaries. There were delays, but on Oct. 17, 1746, the "Fairfax Stone" was erected at the source, or first fountain, of the North Branch of the Potomac; thence a line was afterward run to the source of the Rappahannock, the present West Virginia counties, within the grant being the whole of Jefferson, Berkeley, Morgan, Hampshire, Mineral, nine-tenths of Hardy, three-fourths of Grant and one-eighth of Tucker—an area of 2,540 square miles, or 1,625,600 acres. In 1747 Lord Fairfax employed the boy surveyor, George Washington, to lay off portions of these lands to suit settlers then arriving, and in this, and the two ensuing years, nearly 300 tracts were surveyed. Thus it was that George Washington, who led the American armies in the Revolution, and who was the first President of the United States, surveyed the first farms in West Virginia. Settlements were formed far up the South Branch of the Potomac, even into what is now Pendleton county, and daring frontiersmen sought homes beyond the mountains to the westward. In 1753 David Tygart and Robert Foyle settled on what is since known as Tygart's Valley River, now in Randolph county. The next year Thomas Eckarly and two brothers reared a cabin on Dunkard's Bottom on Cheat River, now in Preston county, and three years later Thomas Decker and others began a settlement at the mouth of what has since been known as Decker's Creek, on the Monongahela River, where Morgantown, in Monongalia county, now stands.

Another land grant played an important part in the early settlement of West Virginia. It was for 100,000 acres in the Greenbrier Valley, made in 1749 to the "Greenbrier Land Company," which consisted of twelve members, among whom were its president, John Robinson, treasurer of the colony of Virginia; Thomas Nelson, for thirty years secre-

tary of the Council of State, and John Lewis, the founder of Staunton, and two of his sons. Four years were allowed for surveys and settlements. Andrew Lewis, afterward General Andrew Lewis of the Revolution, was appointed surveyor for the company; he hastened the work, and Col. John Stuart, the historian of the Greenbrier Valley, states that prior to 1755 Lewis had surveyed settlement rights aggregating more than 50,000 acres. Thus civilized men found homes in the Greenbrier Valley. The settlements in the wilds of Augusta county were formed in 1738, and by an act of the House of Burgesses in 1753, Hampshire county, embracing all the settlements on the upper waters of the Potomac, and the first unit of civil government in West Virginia, was created. In 1756 Captain Teague sent to the Lords of Trade and Plantations, London, a "List of Tithables" on which was based a census of Virginia. Taking his estimate it appears that at this time there were about 10,000 whites and 400 blacks within the present limits of West Virginia.

If an irregular line be drawn from the Blue Ridge through Harper's Ferry and Charles Town in Jefferson county, Martinsburg in Berkeley county, Berkeley Springs in Morgan county, Romney in Hampshire county, Moorefield in Hardy county, Petersburg in Grant county, Upper Tract and Franklin in Pendleton county, Marlinton in Pocahontas county, thence down Greenbrier River through Greenbrier county, and thence through Monroe county to Peter's Mountain, it will pass centrally through the region in which resided the pioneer settlers of West Virginia at that time.

Wars with Indians.

From the time of the coming of the first settler to the state to the year 1754, white men and Indians

had lived together in peace and harmony. But now the old French and Indian War—the final struggle between the French and English for territorial supremacy in America—was at hand, and barbarian warfare was to desolate the West Virginia settlements. The colonial government of Virginia, at the head of which was the lieutenant-governor, Robert Dinwiddie, hastened preparations for defense. Col. George Washington, with the First Virginia Regiment, was sent to the West Virginia frontier. Forts for defensive and offensive operations were speedily erected. Fort Ashby stood on the east bank of Patterson's Creek, in what is now Frankfort district, Mineral county; Fort Waggener was on the South Branch of the Potomac, three miles above the site of Moorefield, in Hardy county; Fort Capon was at Forks of Capon, now in Bloomery district, in Hampshire county; Fort Cox stood on the lower point of land at the confluence of the Little Cacapon and Potomac rivers; Fort Edwards was near the site of Capon Bridge, now in Bloomery district, Hampshire county; Fort Evans was two miles south of where Martinsburg, in Arden district, Berkeley county, now stands; Fort Ohio stood where the village of Ridgeley, in Frankfort district, Mineral county, is now situated; Fort Pearsall was on the site of the present town of Romney, in Hampshire county; Fort Peterson was on the South Branch of the Potomac, in Milroy district, Grant county; Fort Pleasant was erected on the Indian Old Fields, now in Hardy county; Fort Riddle was in Lost River district, Hardy county; Fort Sellers was at the mouth of Patterson's Creek, now in Frankfort district, Mineral county; Fort Upper Tract was in what is now Mill Run district, Pendleton county, and Fort Seybert stood on the bank of the South Fork of the South Branch of the Potomac in the same county.

The French, with their savage allies, bore down with resistless fury upon the West Virginia border, and around these primitive forts were enacted many of the tragedies and dramas of the wilderness. The Tygart and Foyle settlements on Tygart's Valley River, together with those of the Eckarlys on Cheat River, and of the Deckers on the Monongahela, were destroyed, and many persons killed on Greenbrier River. Fierce battles were waged in the vicinity of Fort Edwards, Fort Riddle and Fort Pleasant; bloody massacres occurred at Fort Upper Tract and Fort Seybert, and many a West Virginia family became victims of savage barbarity. After seven years of war, hostilities were ended; then came the conspiracy of Pontiac in 1763, and with it the Muddy Creek massacre in the Greenbrier Valley, in which the entire settlement was destroyed by a band of Shawnee Indians.

Settlements 1760-1776.

Now for a time the Indian wars were ended, and what is known as "the halcyon decade of the Eighteenth century"—1763-1773—was ushered in. Daring pioneers sought homes west of the mountains; James Moss reared his cabin home at the Sweet Springs, now in Monroe county, in 1760; Archibald Clendenin and Felta Youcom, on Greenbrier River, in 1761; in 1764 John and Samuel Pringle fixed their homes at the mouth of Turkey creek on Buckhanon River, in what is now Upshur county; the same year John Simpson, a trapper from the South Branch of the Potomac, built a cabin at the mouth of Elk creek on the West Fork of the Monongahela, where Clarksburg, in Harrison county, now stands; John McNeel found a home on the "Little Levels," now in Pocahontas county, as early as 1765; James Booth came to Booth's creek, now in Marion county,

as early as 1765; Zackwell Morgan settled where Morgantown, in Monongalia county, now stands, in 1766; the same year Jacob Prickett brought his family to the mouth of Prickett's creek, now in Marion county; Charles and James Kennison joined John McNeel on the "Little Levels" of Pocahontas county in 1768; Thomas and William Renick and Robert McClennahan settled at Falling Springs, now in Greenbrier county, in 1769; on a bright spring morning in May, 1770, Ebenezer Zane arrived upon the site of the city of Wheeling, of which he was the founder; Thomas Williams, William McCoy, William Hughart and John Jordan located the same year at and near the site of Williamsburg, now in Greenbrier county; Christian Peters came to what is now Petersburg, in Monroe county, in 1771; Adam Mann, Valentine Cook and Isaac Estill fixed their habitations near him the same year. Jacob Wetzel built his cabin on Wheeling creek, Ohio county, in 1771, and a year later Joseph Tomlinson found a home on the Grave creek flats, where Moundsville, in Marshall county, now stands; James and Thomas Parsons located at the Horse-Shoe Bend, on Cheat River, now in Tucker county, in 1772; William McClung and Andrew Donnally came to the vicinity of the present town of Frankfort, in Greenbrier county, in 1773, and Leonard Morris reared his cabin on the site of old Brownstown, now Marmet, on the Great Kanawha River, in 1774. Thus were the homes of civilized men established over all the region from the Alleghany Mountains to the Ohio River. Speedily were these joined by other home-seekers in the wilderness, and so many came that in 1775 there were 30,000 people residing in what is now West Virginia.

In these years of peace the English sought to extinguish the Indian's title to West Virginia.

This was accomplished by the terms of the treaty of Fort Stanwix—now Rome—New York, in 1768, when the Six United Nations ceded to the King of England practically all of West Virginia, except what was known as the "Indiana Cession." This was a region within West Virginia which the Six Nations reserved in their cession to the King, and granted to Capt. William Trent and other Indian traders in consideration of merchandise taken from them by the Indians on the Ohio in 1763. Its extent is shown by the statement that it included of present West Virginia counties within its bounds, one-half of Wood, two-fifths of Wirt, one-third of Calhoun, one-half of Gilmer, one-tenth of Braxton, one-sixth of Randolph, and all of Pleasants, Ritchie, Lewis, Upshur, Barbour, Doddridge, Harrison, Taylor, Monongalia, Wetzel and Tyler—a total area of 4,950 square miles, or 3,168,640 acres. The General Assembly of Virginia repudiated the title and the traders never came into possession of any part of the cession.

The "Province of Vandalia" has the most interesting history of any embryo state west of the Alleghanies. As early as 1756 Governor Dinwiddie had urged upon the English government the necessity of founding a new province in the Ohio Valley. Later the scheme was supported by a number of statesmen, among them Lord Halifax. A petition signed by eminent Virginians went over-sea in 1772, praying for the establishment of a separate government for a province to the westward, to be known by the name of "Vandalia," the capital of which was to be located at the mouth of the Great Kanawha River, now Point Pleasant in Mason county. Within the boundaries as then defined were included forty of the present counties of West Virginia. The charter had passed the seals, but the renewal of the

Indian wars and the beginning of the Revolution put an end to the scheme.

Another embryo state west of the Alleghanies was that known as the "Province of Westsylvania," within the bounds of which lay nearly all of the present state of West Virginia. The scheme was inaugurated by Daniel Rogers and others in July, 1776. It had its origin in the condition of the people who had settled in the Monongahela Valley, within the region claimed by both Virginia and Pennsylvania. Two plans were suggested; one was that they should assemble and send delegates to a convention at Fort Beckett, there to organize a government, and thus become the "fourteenth link in the American chain." A second was that they should send petitions to the Continental Congress, praying that body to declare the said country an independent province to be hailed and known as "Westsylvania." The War of Independence put an end to this scheme, as it had to that of establishing the province of Vandalia.

The "District of West Augusta" was one of the historic and military divisions of West Virginia. It is a name never to be forgotten as long as the history of the state is known. It embraced the whole of northern West Virginia lying westward of Hampshire county, and included two-thirds of the present county of Randolph, one-half of Barbour, one-third of Tucker, half of Taylor, one-third of Preston, nearly the whole of Marion and Monongalia, one-fourth of Harrison, one-half of Doddridge, two-thirds of Tyler, and the whole of Wetzel, Marshall, Ohio, Brooke and Hancock. Within it lived as heroic and patriotic a people as ever dwelt upon the confines of civilization. They withstood the storm of savage warfare, and were ready for the service of their country at the first drum-tap of the Revolu-

tion. The "District of West Augusta" was extinguished by an act of the General Assembly in 1776, when the counties of Ohio, Monongalia and Yohogania were formed therefrom. The latter was largely cut off to Pennsylvania by the western extension of Mason and Dixon's Line, and the residue was added to Ohio county.

More Indian Wars: Battle of Point Pleasant.

The ten years' truce was ended; Indian hostilities were renewed, and the year 1774 brought with it that series of military movements known as Lord Dunmore's War. This resulted from the treachery of both the whites and the Indians. On April 16 of that year, a large canoe filled with white men was attacked by Indians near Wheeling, and one of them in it killed. A party of about thirty frontiersmen hastened to Baker's Station, which was opposite the mouth of Yellow Creek, and in what is now Grant district, Hancock county, where, under circumstances of great perfidy, they killed ten Indians, among whom were some of the relatives of Logan, a distinguished chieftain of the Mingo tribe. War was now inevitable, and the storm burst with all its fury on the West Virginia frontier. Bands of warriors laid waste the settlements, and men and women fell victims to savage barbarity. Messengers bore the tidings of bloodshed to Williamsburg, the colonial capital of Virginia. The governor, John Murray, fourth Earl of Dunmore, ordered Maj. Angus McDonald to collect the settlers on the Upper Potomac and invade the Indian country. He obeyed the summons, and hastened to Wheeling, where he erected Fort Fincastle (afterward Fort Henry). In June, with 400 men—nearly all West Virginia pioneers—he descended the Ohio to the mouth of Captina creek and marched thence to

the interior of what is now the state of Ohio, where he burned the Indian towns and laid waste the cornfields. This done, the army returned to Wheeling, whence many of the men returned to their homes.

The war continued, and Lord Dunmore, having ordered Gen. Andrew Lewis to collect an army of 1,500 men in the counties of Augusta, Botetourt and adjacent territory, left the gubernatorial mansion, and hastening over the Blue Ridge, fixed his headquarters at "Greenway Court," the home of Lord Fairfax, which stood thirteen miles southeast of Winchester in the Shenandoah Valley. Here he engaged in mustering a force consisting of a like number to form the northern or right wing of the army destined for the invasion of the Indian country; that under General Lewis was to constitute its southern or left wing. General Lewis made Camp Union, now Lewisburg, in Greenbrier county, the place of rendezvous, and having assembled an army of 1,480 men, began the march of 160 miles through a trackless wilderness to the Ohio River. This force consisted of the Augusta regiment commanded by his brother, Col. Charles Lewis, the Botetourt regiment under Col. William Fleming, and a battalion from the Watauga and Holston settlements, at the head of which was Maj. William Christian. Both regiments reached the mouth of the Great Kanawha River on Oct. 6, 1774, where, on the 10th ensuing, they waged the most desperate battle ever fought with the Indians in the valley of the Ohio. The Indian army, probably equal in numbers to that of the Virginians, was composed of the best warriors of the Shawnee, Delaware, Mingo, Wyandotte and Cayuga tribes, led by their respective chiefs, at whose head was Cornstalk, sachem of the Shawnees and head of the Western Confederacy. The battle, beginning at day-dawn, continued until evening, when the Indi-

ans, beaten, retreated across the Ohio. The Virginians had seventy-five killed and 140 wounded. Meantime Lord Dunmore with the northern wing of the army had proceeded by way of Fort Pitt, and descended the Ohio to the mouth of Hockhocking River. From there he proceeded through the wilderness to the Pickaway Plains in the Valley of the Scioto-noir. General Lewis having cared for the dead and wounded, crossed the Ohio with 1,000 men and marched for the same destination. Arriving there the two divisions were united, and Lord Dunmore made a treaty known as that of "Camp Charlotte," by the terms of which the Indians were kept quiet for three years. The Virginians returned to their homes well pleased with the results of the war.

West Virginia in the Revolution.

West Virginia did her full part in the Revolution, and may be regarded as the "fourteenth link in the American chain" in the struggle for independence and national life. This is attested by a vast mass of documentary evidence still preserved. The units of government then existing within what is now the state were the "District of West Augusta" and the counties of Hampshire, Berkeley, Monongalia, Ohio and Greenbrier, the latter being formed in 1777. When intelligence of the battle of Lexington reached the frontiersmen of West Virginia, hundreds of them hastened away to old Fort Pitt—then believed to be within the confines of Virginia—where they assembled in convention, and, having by resolution pledged their lives to the cause of American liberty, proceeded to elect John Harvie and John Neville to represent them in the convention at Williamsburg in May ensuing. In this body they were admitted to seats "as the representatives of the people of that part of Virginia which lies to the westward of

the Alleghany Mountains." The first company of enlisted men from the south of the Potomac that joined Washington at Boston was Capt. Hugh Stevenson's Berkeley County Riflemen. It left Morgan's Spring, now in Jefferson county, July 17, 1775, "not a man missing," and on arriving at the American camp was introduced by its captain as being "from the right bank of the Potomac." General Washington knew some of these men personally, and passing along the line shook the hand of every man in it. Capt. William Darke and Captain Beale each organized companies of Berkeley county men for the Fourth Regiment on Continental establishment. Capt. James Parsons with a company of Hampshire county men hastened away to the field and served in the Third Regiment; Capt. Jacob Westfall's Riflemen, from that part of Monongalia now Randolph county, was attached to the Eighth Regiment, and rendered faithful service; Capt. James Booth's Company of Frontiersmen, from what is now Harrison and Marion counties, served in the western military department. Greenbrier county with but 550 effective men had, at one time, 174 of them in service, some in the Continental army and others with General Clark in his western campaigns.

On Jan. 8, 1777, the Continental Congress ordered the West Augusta Battalion to join Washington in New Jersey. This was part of the Thirteenth Virginia, commanded by Col. William Crawford, then stationed at Pittsburg, and known as the "West Augusta Regiment" because its rank and file were composed almost entirely of West Virginia pioneers, whose homes were within the bounds of the old historic "District of West Augusta," men as brave as any that ever faced an enemy. Garrett Van Meter, county-lieutenant of Hampshire county, kept his commissary and quartermaster busy collecting

supplies in the valley of the South Branch of the Potomac, and these were sent to the armies—some by way of Pittsburg to General Clark for use in his western campaigns. Edward Snickers went to and fro over the Lower Shenandoah Valley—now Berkeley and Jefferson counties—collecting corn, wheat and other supplies for the Continental army, and Mabre Maden, of Berkeley, used his teams to haul these to points where needed. John Evans, county-lieutenant of Monongalia, gathered supplies up and down the Monongahela River, and sent them to the Thirteenth Regiment and other troops of the western military department at Pittsburg. In 1776 some of the British prisoners, taken by Captain Barron on the sloop-of-war *Oxford,* were sent to Berkeley county for safe keeping, and their wants were supplied by the people of that vicinity; and in 1781 the Hesse Hanau Regiment (Hessians) prisoners, 300 strong, were sent to Berkeley Springs in Berkeley (now Morgan) county, where they were guarded and fed by West Virginians until the close of the war. Verily West Virginia did her part in the struggle for independence.

Each unit of government within her limits had its own Committee of Safety, working harmoniously with the State Committee of Virginia, and it may be said that not one of them ever failed to respond cheerfully and with a true patriotic spirit to every requisition made upon each and every one of them, be it for men for the Continental army, or for the Virginia state line, for horses, provisions, clothing or other supplies for the armies battling for national existence. West Virginians were on nearly all the battlefields of that war, and there are more graves of Revolutionary soldiers in West Virginia than in any other American state, outside of the thirteen original commonwealths.

In 1776 Virginia adopted a constitution which continued to be the organic law of the commonwealth until 1830—a period of fifty-four years. It provided for a government having a division of powers —legislative, executive and judicial—but in reality almost all power, instead of being vested in the people, was reserved to the legislative branch, called the General Assembly. This body consisted of two houses—a senate and a house of delegates. The former, when organized, contained twenty-four members, while the latter was composed of two members from each county, chosen annually by the votes of the freeholders. A governor and a Privy Council, or Council of State, consisting of eight members were elected annually by the General Assembly, the latter to assist in the administration of the government. Likewise, the judges of the court of appeals, the general court, judges in chancery, judges in admiralty, secretary and attorney-general of the commonwealth were all elected by that body, but commissioned by the governor, who was vested with the appointing power of all county officials except members of the General Assembly, who, as stated, were elected by the people, whose right to vote was determined by a property qualification. We shall see how the provisions of this constitution produced dissension in the western portion of the commonwealth—now West Virginia.

Development After Revolution.

The Revolution terminated in 1783, but not so the border wars. The Indian nations of the Ohio wilderness had been the allies of the English since 1777, and for twelve years after the treaty of Paris they continued to wage a fierce and relentless warfare upon the frontier civilization. Throughout all these years they carried death and destruction into the West

Virginia settlements, and spread desolation throughout the valleys and along the tributary streams of the Great Kanawha and Monongahela rivers, and on the southern banks of the Ohio. Block-houses and stockade forts—places of defensive and offensive operations—were erected in many localities, and the scenes that transpired about them and in the cabin homes nearby in these years are without a parallel in the annals of barbarian warfare. These West Virginians were ever ready to yield up their lives in defense of their homes, and when not engaged in defending them were much of the time on expeditions into the Indian country. Some were at St. Clair's defeat, and others at Wayne's victory at Fallen Timbers. This last forever ended the Indian wars on the south side of the Ohio. Henceforth the pioneers dwelt in their cabin homes without fear of savage fury. It may be truthfully said that when these border wars were ended, more men, women and children had perished at the hands of the savage foe—victims of the stake, rifle, tomahawk and scalping knife—in West Virginia, than had died from similar causes in any other region of equal extent in America.

Moorefield, the seat of justice of Hardy county, in the South Branch Valley, was the designated place of rendezvous, and from here marched the West Virginians who served in the National army in its campaign for the suppression of the whiskey insurrection in western Pennsylvania in 1794.

It had been said of the West Virginia pioneers that they belonged to a class of men who were "farmers to-day, statesmen to-morrow and soldiers always." This appears to have been true. When the Virginia Federal convention convened at Richmond June 2, 1788, to take into consideration the proposed form of Federal government—the Na-

tional constitution—there sat in it sixteen members for the eight West Virginia counties then checkered on the map of Virginia. These counties, with their representatives in that convention, were as follows:

Berkeley County—William Darke and Adam Stephen.
Greenbrier County—George Clendenin and John Stuart.
Hampshire County—Andrew Woodrow and Ralph Humphreys.
Hardy County—Isaac Van Meter and Abel Seymour.
Harrison County—George Jackson and George Prunty.
Monongalia County—John Evans and William McCleery.
Ohio County—Archibald Woods and Ebenezer Zane.
Randolph County—Benjamin Wilson and John Wilson.

Every one of these men were farmers at home; every one had seen military service during the Revolution and Indian wars, and all were acting the part of statesmen now. Who shall say to what extent! On the final vote, fifteen of them voted to ratify the Federal constitution, but one of them—John Evans, of the county of Monongalia—voting against it. The final vote stood 89 ayes and 79 noes. If the fifteen West Virginia members had voted *no,* Virginia would not have ratified the constitution, and who can tell what effect such a result would have had upon the formation of the Union?

In the year 1800 there was a busy population which had grown from 55,875 in 1790, to 78,592 at the close of the century. Homes of thrift and industry gave evidence of many years of settlement in the eastern Pan-Handle and along the Upper Potomac, while from the Alleghanies to the Ohio, cabin homes dotted the landscape. Thirteen of the present counties—Hampshire, Berkeley, Monongalia, Ohio, Greenbrier, Harrison, Hardy, Randolph, Pendleton, Kanawha, Brooke, Wood and Monroe—then had an existence; and Wheeling, West Liberty, Wellsburg, Clarksburg, Parkersburg, Martinsburg, Lewisburg, Romney, Charles Town, Shepherdstown, Point Pleasant and Charlestown, had become towns

WHEELING IN 1850.

of importance for that day. Another decade passed away and brought the year 1810, at which time the population had grown to 105,469. The first newspaper published in West Virginia—*The Potomac Guardian and Berkeley Advertiser*—had been founded at Martinsburg in 1789, and now a half dozen more had been established in other towns. Randolph Academy at Clarksburg, the western representative of William and Mary College, was founded in 1787; this had been followed by other academic schools at Shepherdstown, Charles Town, West Union and Lewisburg, while a system of "Old Field Schools" had grown up in rural districts under the Virginia School Law of 1796.

Western Virginia in the War of 1812.

When the second war with England—that of 1812—began, West Virginia was ready, as she had been when the war of the Revolution commenced. On April 10, 1812, President Madison issued a call for 100,000 men, and five days later the secretary of war informed Gov. James Barbour that, of this number, Virginia's quota was 12,000. Maj. Samuel McGuire, of Romney, Hampshire county, was the first West Virginian who tendered his services to the governor. He said: "Whenever we are compelled by the insolent and perfidious conduct of a foreign government to relinquish the happy situation in which our country has so long flourished, and resort to war, it becomes the duty of every citizen to make a solemn declaration of his determination to support his government in the prosecution of such a war to the utmost limits of his means." Capt. James Faulkner's Artillery Company of Martinsburg, Berkeley county, was the first West Virginia organization ordered into service, and the second was a company of Light Infantry of the same county;

it belonged to the Sixty-seventh Regiment of Militia, of which Elisha Boyd was colonel. On May 21 Captain Buckmaster's company of Light Infantry was ready to march from Jefferson county, and Capt. Carver Willis was enrolling another at the same place. In this month Capt. Nimrod Sanders, commanding a cavalry company, and Capt. James Laidley at the head of a rifle company, both of Parkersburg, Wood county, informed Governor Barbour that they were ready for service. In July, Capt. Samuel McClure's cavalry company, eighty strong, of Wheeling, was waiting orders to march. On August 27 Capt. John Connell wrote General Biggs that he only awaited his orders to march with the Brooke county Volunteers. On the receipt of the news of the surrender of Detroit by General Hull, 250 men of the Northern Pan-Handle assembled at Wellsburg, Brooke county, and declared their readiness to march to the northwest under the leadership of Captain Connell. There were no provisions and a deficiency in arms, but James Marshall, George Getter, Robert Hartford, William Wattenbee and Jacob De Camp, men of means, offered to furnish all supplies and await payment from the National government. Home-woven linen was purchased, and Wellsburg women made it into tents and knapsacks. But it was deemed best to consult the governor as to this action, and await a later movement.

But West Virginia was to have a distinct part in the second war with England. On Sept. 1, 1812, Mr. Eustis, secretary of war, informed Governor Barbour of the order of the President to him to call out and equip, in addition to the state's quota of 12,000 troops, 1,500 more destined to coöperate with the northwestern army, and to have these troops convenient for their march to the western frontier of Ohio. Governor Barbour hastened to comply with

this order. He determined to raise these troops west of the Alleghanies, that is, in West Virginia, and accordingly informed the military officers of that region of this intention. Point Pleasant, at the mouth of the Great Kanawha River, in Mason county, was fixed as the place of rendezvous, and the troops ordered to proceed thither. Brig.-Gen. Joel Leftwich, of Bedford county, Virginia, a veteran of the Revolution, who had been wounded at Guilford, was ordered over the mountains to take command of the brigade collecting at Point Pleasant. He reached his destination at 3.00 P. M., Sept. 26, 1812, where he found 825 men, officers included; detachments were arriving almost daily; none were there from the counties of Hampshire, Hardy, Monongalia or Randolph, but he understood they were on the march and were expected in five or six days. On September 15, Capt. John Connell, of Brooke county, who had been promoted to the rank of colonel, and who had received orders to join General Leftwich at Point Pleasant, issued orders to the militia captains to assemble at Wellsburg in that county on the 22d ensuing. On the same day he wrote Governor Barbour, saying: "The sons of the northwest corner of the state will do their duty." He said his staff was complete, and formed of gentlemen fit and capable of performing service; that he, with his troops, was going to Point Pleasant by water, that being the cheapest and most expeditious way of getting there; and that his quartermaster was then employed in placing the baggage on the boats. He also said that the men in the Light Infantry companies of Captains Wilcoxon and Congleton and Captain McClaney's Troop of Light Horse were greatly disappointed because they were left behind. Colonel Connell, with the troops accompanying him, arrived at Point Pleasant on the second day

of October, 1812. General Leftwich writing Governor Barbour ten days thereafter, said that there were then 1,311 men, including officers, and that only a few small detachments were yet to arrive; that the army was being organized and drilled, and that it was a fine body of men, all in high spirits. He had received a letter from the secretary of war ordering him to march as soon as possible to the frontier (northwestern) of Ohio, there to report to the commanding officer of the Northwestern army. On the same day orders came from General Harrison dated "Piqua, Sept. 27, 1812," informing him that his destination was Wooster, in Wayne county (Ohio), forty-five miles west of Canton, and his line of march was by way of New Lisbon and Canton, and that at Wooster the Virginians (West Virginians) would be joined by a brigade from western Pennsylvania, when all would proceed to the Rapids of the Maumee, there to form the right wing of the Army of the Northwest. General Leftwich broke camp at Point Pleasant, and with his troops ascended the Ohio, beyond Wellsburg, and then proceeded through Columbiana and Stark counties to Wooster, and thence to the northwest. John Mallory, commissary-general of General Leftwich's brigade, writing Governor Barbour from Delaware, Ohio, under date of Jan. 24, 1813, informed him that in the past four days he had loaded at that place 700 pack-horses, 60 wagons and 100 sleds with flour and other quartermaster stores; that he was then paying two dollars a bushel for corn, and that the troops had a sufficient supply of provisions and ammunition. He adds: "I am getting tolerably fond of a soldier life if it were not for leaving my family." Henceforth the history of General Leftwich and his West Virginia brigade, with that from western Pennsylvania, is part of that

of the Army of the Northwest, of which the two formed the right wing.

Fight for Democratic Government.

The year 1816 is a most important date in the history of West Virginia. The constitution adopted in 1776 had been in force for forty years, and it had been shown to contain many defects. The unequal representation of the counties gave to it a sectional character—all having the same representation—two members—on the floors of the General Assembly, and this, too, regardless of wealth or population. The constitution had been framed by Burgesses representing a population residing exclusively in the Tide-Water Region, and consequently at that time homogeneous in character and identical in interest. Now this was changed, and with the increase of population and the organization of counties west of the Blue Ridge, the principle was reversed, and what had been equal representation had become unequal representation; and while some of the western counties paid into the public treasury many times the amount paid by some of the eastern counties, the representation of each was the same. As an example of this, Hampshire county in the west, with a population several times as great as Warwick in the east, paid twelve times as much revenue to the state, while both had the same representation in the General Assembly.

Then, too, the limitation of the right of suffrage to freeholders and the elective power vested in the General Assembly, gave to the constitution an aristocratic character. These requirements secured to the east the balance of power and rendered the west almost powerless in all matters of state legislation. In an assembly having 204 members, the former had 124 while the latter had but 80. The

result was that the east secured to itself nearly everything in the character of internal improvements. For forty years the state revenues had been collected in West Virginia counties, and yet it appeared that in 1816 but $6,500 had been paid out of the public treasury for improvements west of the Alleghanies, while $123,661.11 had been expended for this purpose east of the Blue Ridge; and that in addition thereto, in the same time, $794,700 of the public monies had been invested in the stocks of the Bank of Virginia and the Farmers' Bank of Virginia, both at Richmond.

The same year the General Assembly created a board of public works consisting of thirteen members, of which number eight were to reside east of the Blue Ridge. A belief obtained that the past policy in regard to public improvements would be continued; there was great dissatisfaction among the men who were felling the forests from the Alleghanies to the Ohio, and mutterings of discontent were heard on every hand. It was evident that a redress of the grievances complained of could never be secured under the existing constitution, and from 1816 the question of a convention to revise that document was agitated. Much opposition was developed, and it was only after repeated failures covering a period of twelve years that the General Assembly passed an act in 1828, providing for taking the sense of the voters upon the call of such a convention. Later in the year the proposition was carried by a vote of 21,896 to 16,646. Of the majority, by far the greater number of votes composing it were cast in the western counties of the state, where the greatest opposition to the existing constitution had been manifested.

The convention assembled at Richmond, Oct. 5, 1829, and it was the most remarkable body of men

that had assembled in Virginia since that which ratified the Federal constitution in 1788. It consisted of ninety-six members, of whom eighteen were from the territory now embraced in West Virginia. They were among the wisest and most discreet men of the region they represented. In the organization of the convention, no western man was mentioned in connection with an official position. From the beginning of the session the conflicting interests of the two sections became more and more apparent, and the representatives from each were arranged in almost solid phalanx on opposite sides of nearly every question. At length the work was done, but none of the reforms sought had been secured. The right of suffrage was still restricted to a property qualification, and the west denied equal representation. Thus all of the objectionable features of the old constitution were engrafted into the new. Upon the final vote upon its adoption by the convention, every delegate from the west side of the Alleghanies voted against it, with the single exception of Philip Doddridge, who was unable to attend, being ill at his hotel. But it was in the popular vote that the opposition of the two sections—the east and the west—was most evident. The total vote cast was 41,618, of which 26,055 were for ratification and 15,563 for rejection. Every county east of the Blue Ridge with one exception, Warwick, gave a majority for ratification, while every county then existing in what is now West Virginia, with two exceptions, Jefferson and Hampshire, voted largely for rejection. In them were cast 9,758 votes, of which 8,375 were for rejection.

Western Virginia From 1830 to 1860.

In 1830 twenty-three of the present West Virginia counties had an existence, and towns and villages

dotted the landscape here and there over all the state. By the census of 1830 the population was 176,924, grown to this number from 136,768 ten years before. Its character was that of a vigorous people. In the towns were the country merchants dealing in every line of merchandise; they were men of character and business integrity. When a wholesale dealer in Baltimore was asked where he found his most reliable and trusted retail merchants, he promptly replied: "In Western Virginia." Here were the homes of lawyers, physicians and ministers, and in each class were men of brilliant intellects. In the river valleys and on the rich uplands dwelt by far the larger part of the population; farmers who, in addition to producing wheat, corn, buckwheat, potatoes and fruits for their own use, generally had a surplus to sell to others; they also raised good horses, cattle, sheep and hogs. Still another class dwelt in the "hill country," where they built their cabin homes and cleared a few acres of land on which they produced grains and vegetables sufficient for their own needs from year to year; they had but few domestic animals, and for other food they depended largely upon wild game and fish. Periodically they visited the towns, there to barter venison, skins, furs, maple-sugar and ginseng, for clothing, coffee, medicines, ammunition and other necessities, and then returned to their homes to follow the same routine to the end of their lives. All classes were far removed from the marts of trade, and almost entirely isolated from society, yet they carved out a society of their own and established a code of morals as rigid as any known in older lands.

All were united in an effort to secure equal representation, a fair system of equal taxation, a just share of the public monies expended for internal improvements, and a suffrage law untrammeled by

property qualifications. Not one of these had been guaranteed to them by the provisions of the new constitution, and so much were they opposed to it that state division at once became a theme of earnest discussion. As the years passed away the people assembled to give utterance to their grievances. That of unequal representation in the General Assembly was among the most serious. This was set forth in the action of a great convention assembled at Charleston, in the Great Kanawha Valley, Aug. 9, 1841. The object was stated to be "for the purpose of considering the inequalities of the representation in the General Assembly, and the deep interest of the western people in a reappointment of the senators and delegates comprising the General Assembly." Many of the strongest men of West Virginia were present. Judge Lewis Summers was made chairman and Alexander W. Quarrier secretary. The four physical regions, as the commonwealth then existed, were regarded as political divisions. These were known as (1) the Tide-Water Region; (2) the Piedmont Region; (3) the Valley Region, and (4) the Trans-Alleghany Region, the latter including nearly all of West Virginia. A "memorial" addressed to the General Assembly set forth some remarkable facts. It was shown that an equal apportionment of the 134 members of the House of Delegates would give to each a constituency of 5,532 of white population, and 644 of qualified voters. Instead of this, the following inequalities were shown to exist: the thirty-one delegates from the Trans-Alleghany Region each represented a white population of 7,584 persons and 836 qualified voters; twenty-five delegates from the Valley Region each represented a white population of 5,472 persons and 644 qualified voters; forty-two delegates from the Piedmont Region each represented

a white population of 4,738 persons and 572 qualified voters; thirty-six delegates from the Tide-Water Region each represented a white population of 4,737 persons and 558 qualified voters. In the senate as then existing there were thirteen members from western Virginia and nineteen from eastern Virginia. Each western senator represented an average population of 28,903 persons and 3,256 qualified voters, while each eastern senator represented a white population of 19,448 persons and 2,342 qualified voters.

Such was the unequal basis of representation in Virginia at this time. Thus it was that the east was enabled to secure large appropriations for internal improvements, while the west, as asserted by its people, was unable to obtain its just proportion of the public monies for this purpose. Many instances of this were cited by them.

Once more it became evident to these people that a redress of their grievances could never be obtained under the existing constitution, and they demanded a revision of that document. This was provided for by an act of the General Assembly passed March 9, 1850, and a constitutional convention assembled at Richmond on October 14 ensuing. After months of labor it finished its work, and under the provisions of this constitution came a redress of many of the grievances complained of by the people of the west. The right of suffrage was extended, taxation rendered more equitable, and the basis of representation so remodeled as to secure to this section greater equality in the halls of legislation, and it now seemed that harmony would henceforth exist between the east and the west. But this was not to be.

Geographically, the east was separated from the west by mountain ranges which, so far as trade and commerce was concerned, proved an almost impass-

HARPER'S FERRY IN 1865.

able barrier. This was so great that no artificial means of intercourse between the two sections had been made beyond a turnpike road. All trade and commercial relations of the west were with the other states and not with eastern Virginia. Merchants in western Virginia made their purchases in Baltimore, Pittsburg and Cincinnati, and they knew no more of the wholesale trade of Richmond than they did of Boston. The two sections were entirely dissimilar in their social relations. While the east was largely interested in slaves, the west had comparatively few of them, and nearly all labor was performed by freemen. The mode of taxation, as well as that of representation in the legislature, had long been the source of irritation and indeed of strife and vexation between the two sections. For many years the subject of internal improvements created dissension, the people of the west asserting that they paid state revenues largely in excess of what they received in the expenditure of public funds in their section. Because of these things, men residing there who had grown old and gray had heard the subject of state division discussed since they were children. Years came and went, and brought John Brown's insurrection at Harper's Ferry. The intelligence that went out from that place on the morning of Oct. 17, 1859, sent a thrill of terror throughout Virginia, and astonished the whole nation. The year 1860 found Virginia in a state of the greatest commotion—a condition unexampled in history—unless it be that of France in the early days of the Revolution. Governor Letcher, influenced by the pressure of the times, issued a proclamation convening the General Assembly in extra session. That body provided for a convention of the people of Virginia. There were 152 members, of which 47 were from the west. Every student of history

knows what the action of that body was, and the world knows the result. The war came; it furnished the opportunity for the division of the commonwealth, and when the storm had passed away there were two states where one had been before. And now, Virginia—the Mother—and West Virginia—the Daughter—reside upon the ancient estate.

BIBLIOGRAPHY.—Aler, F. Vernon: *History of Martinsburg and Berkeley County* (Hagerstown, Md., 1888); Atkinson, George W.: *History of Kanawha County* (Charleston, 1876); Bickley, George W. L.: *History of the Settlement and Indian Wars of Tazewell County* (Cincinnati, 1852); Breckenridge, H. M.: *Recollections of Persons and Places in the West in* 1792 (Philadelphia, 1868); Bruce, Thomas: *Heritage of Trans-Allegheny Pioneers* (Baltimore, 1894); Cranmer, Gibson Lamb: *History of the Upper Ohio Valley* (Madison, Wis., 1890), *History of Wheeling City and Ohio County* (Chicago, 1902); Cutright, W. B.: *History of Upshur County* (1907); Doddridge, Joseph: *Notes on the Early Settlement and Indian Wars of the Western Parts of Virginia from* 1763 *to* 1783, *Inclusive* (Wheeling, 1824); DeHass, Wills: *History of the Early Settlements and Indian Wars in Northwestern Virginia* (Wheeling, 1851); Dunnington, George A.: *History and Progress of the County of Marion* (Fairmont, W. Va., 1880); Ely, William: *History of the Big Sandy Valley* (Cattlattsburg, Ky., 1887); Fernow, Berthold; *The Ohio Valley in Colonial Days* (Albany, N. Y., 1890); Garrison, Wendell Phillips: *The Prelude to Harper's Ferry* (Andover, Mass., 1891); Gibbons, Alvaro F.: *A Century of Progress; or, A Historical Souvenir of Wood County* (Morgantown, 1899); Hale, John P.: *Trans-Alleghany Pioneers* (Cincinnati, 1887); Jacob, John G.: *Brooke County: Being a Record of Prominent Events in that County* (Wellsburg, W. Va., 1882); Kercheval, Samuel: *History of the Shenandoah Valley* (Winchester, Va., 1833); Lewis, Virgil A.: *History of West Virginia* (Philadelphia, 1889); Lewis, Hale and Hogg (joint authors): *History of the Great Kanawha Valley* (Madison, Wis., 1891); Loudermilk, Will J.: *History of Cumberland and Braddock's Expedition* (Washington, 1878); Marshall, O. S.: *History of De Celeron's Expedition to the Ohio in* 1749 (Albany, 1887); Mayer, Brantz: *Ta-gah-ju-te: or Logan the Indian and Captain Michael Cresap* (1867); Maxwell, Hu.: *History of Tucker County* (Kingwood, 1884), *History of Hampshire County* (Morgantown, 1897), *History of Randolph County* (Morgantown, 1899); Moore, James: *The Captives of Abb's Valley* (Philadelphia, 1840); Norris, J. E.: *History of the Lower Shenandoah Valley* (Chicago, 1890); Newton, J. H.: *History of the Pan-Handle* (Wheeling, 1879); Pritts, J.: *Mirror of the Olden Time Border Life* (Chambersburg, Pa.); Panghorn, J. G.: *History of the Baltimore and Ohio Railroad* (Chicago, 1883); Peterkin, George W.: *Records of the Protestant Episcopal Church in West Virginia* (Charleston, 1902); Price, William T.: *History of Pocahontas County* (Marlinton, 1899); Ridpath, James: *Echoes from Harper's Ferry* (Boston, 1860): Sparks, Jared: *The Writings of Washington*, Vol. II. (Boston, 1846); Seabright, Thomas

B.: *The Old Pike, A History of the National Road* (Uniontown, Pa., 1894); Stuart, John: *Memoirs of the Indian Wars and Other Occurrences* (Richmond, 1832); Safford, William H.: *The Blennerhassett Papers* (Cincinnati, 1861); Thwaites, Reuben Gold, and Kellogg, Louise Phelps: *Documentary History of Dunmore's War* (Madison, 1905), (eds.) *The Revolution on the Upper Ohio, 1775-1777* (Madison, 1908); Withers, Alexander Scott: *Chronicles of Border Warfare: or A History of the Settlement by the Whites of Northwestern Virginia and the Indian Wars and Massacres in that Section of the State* (Clarksburg, 1831); Wiley, Samuel T.: *History of Preston County* (Kingwood, W. Va., 1880), *History of Monongalia County* (Kingwood, 1883); Waddell, Joseph A.: *Annals of Augusta County* (Richmond, 1888); *Calendar of Virginia State Papers* (11 vols., Richmond, 1875 *et seq.*); *The Washington-Crawford Letters Concerning Western Lands* (Cincinnati, 1877); Miller, James H.: *History of Summers County* (1908).

VIRGIL A. LEWIS,

Historian and Archivist of the State of West Virginia.

CHAPTER II.

WEST VIRGINIA—STEPS TO STATEHOOD, 1861-1863.

The Two Virginias Before Divorce.

An intelligent view of the events resulting in severing in twain the original state cannot be obtained without understanding the relations existing between the two Virginias prior to the war. It is a general impression that the separation was caused by questions growing out of the war. But the war was not the cause but only the occasion for the separation. The question of dividing the state of Virginia on the lines finally accomplished had been a mooted question for fifty years prior to the war. It had agitated the legislatures and conventions of the state. It had been a subject of discussion in political campaigns and in party organizations. It had so

embittered the population of the two territorial sections as to threaten the public peace.

The causes which developed this situation between the two sections need only to be enumerated to appear conclusive. In the first place we have the anomaly of a state exercising sovereignty over a territory so geographically divided by a chain of mountains as to effectually cut off communication between its population of the one side and the other. The ranges of the Alleghany Mountains erected their lofty crests and stretched themselves from one end to the other. They were impenetrable and impassable by any ordinary means of transportation. The state government was administered from Richmond, and its edicts carried around through the District of Columbia and the state of Maryland to the western territory under its jurisdiction. It was facetiously said that when a sheriff from one of the western counties had traveled to his state capital to settle his accounts, he had just enough left of the revenues collected to pay his expenses back home. There was not only no communication between the two peoples, but there was little or no acquaintance, and absolutely no commercial relations. Western Virginia belonged by nature, not to eastern Virginia, but to the valley of the Mississippi. Its natural outlets to market were south and west, with Cincinnati and Chicago, with Pittsburg on the north, and with Baltimore on the east.

Nature had divided Virginia. When the boundaries between the states of the Union were being fixed—as far back as 1781—there was a controversy in the Federal Congress as to the western boundary of Virginia. It was then claimed that the Alleghany Mountains should constitute her real boundary, as it was her natural boundary. Pennsylvania, Delaware, Maryland and, perhaps, other states, were in-

clined to confine Virginia to the Alleghany boundary. Daniel Webster had, thirty years before the war, with prophetic forecast, advised the South if it withdrew from the Union that the separation would leave Virginia dissevered, for the natural line of division would leave western Virginia allied with the states of the North rather than the South.

Moreover, the people of eastern and western Virginia were never homogeneous. They were as far apart in tastes and temperament as by geographical conditions. Their peoples were of a different ancestry, different habits, different tastes, different manners and modes of life.

The bringing together, therefore, under one state government of two peoples so diverse in their tastes and character as the eastern and western Virginians was like an attempt to fuse an aristocracy and a democracy into one homogeneous whole. Naturally, they did not mix. Geographically, they could not mix.

The situation was aggravated by the existing system of slavery. Slavery was a profitable institution east of the mountains; it was of but little practical value west of the mountains. That section of the state west of the Alleghanies was best adapted to stock-raising, grazing, growth of the cereals, to manufacturing, and such industries as could not profitably employ slave labor. Its people cared very little for the institution on economical grounds, and were somewhat awry with it on moral considerations. They would not have invited it as an original proposition. They accepted it like many other things that were thrust upon them by the East. In the East it was interwoven with all their domestic and political institutions, and was maintained without any moral compunctions. It had shaped and moulded their laws and public policy, as well as

their private interests and modes of life. The western section was bordered its entire length by free soil, which made the escape of the slave easy. He need but cross the Ohio River, or step across the invisible line into Pennsylvania, to find freedom from his bonds.

Moreover, the preponderance of slave property in the East gave rise to a very unsatisfactory basis of representation between the East and West that was a continual source of irritation and dissatisfaction.

The simple enumeration of the foregoing facts and conditions establishes the statement with which we introduced this subject, that the war was not the cause but only furnished the opportunity for the severance of West Virginia from the mother state. The fruit was already ripe, and needed only that the tree be shaken. There was no such unnatural and incongruous alliance existing in the Union of states as that which existed between the two Virginias. It is not strange that the two sections parted. It is strange that they remained together as long as they did.

Steps Leading to the "Parting of the Ways."

The Virginia Secession Convention, so called, which assembled at Richmond on Feb. 13, 1861, was in continuous session from that date until the first of May, when it adjourned to meet again on June 12.

When the convention reassembled, eighty-one delegates responded to the roll call. It was not a "Secession Convention" when it first met in February, but it was now. An ordinance of secession had been already adopted on April 17 by a vote of eighty-eight to fifty-five, before the recess of the convention, and had been submitted to the people for ratification and voted upon, but no official return of the vote appears in the journal of the convention.

The business of the convention was now to put that ordinance into effect.

There are but two or three of the names of the delegates from western Virginia appearing among those signed to that ordinance. Its passage had been the signal for their withdrawal from the convention, and in some instances of hasty flight to more friendly and safer environments west of the mountains. After the convention had looked itself over it proceeded to pass the following resolution:

"Resolved, that Wm. G. Brown, James Burley, John S. Burdette, John S. Carlile, Marshall M. Dent, Ephraim B. Hall, Chester D. Hubbard, John J. Jackson, James C. McGrew, George Mc. Porter, Chapman J. Stewart, Campbell Tarr, and Waitman T. Willey, be, and are hereby expelled from this convention, and that their seats as members of the convention be, and are hereby declared vacant."

The delegates named in the foregoing resolution were those representing western Virginia, and who had voted nay on the adoption of the ordinance on its passage in April previous. It does not appear from the resolution that they had been guilty of any other offense that would deprive them of their seats, or that they had voluntarily resigned, or were to be allowed to resign—the language of the resolution was that they "be expelled." And the resolution was passed.

The fact was that after the passage of the ordinance of secession the delegates named in that resolution, from western Virginia, realized that their influence and usefulness in that body were ended. The bitterness, the malice, the suspicion, the vindictiveness and the spirit of violence incident to the outbreak of a civil war were rife among the populace of Richmond.

Under these conditions the western delegates determined that it was the part of prudence for them to get away from Richmond as speedily and quickly as possible. But even this was a difficult and dan-

gerous undertaking. After procuring written passports from Governor Letcher, this little party of "refugees," so to speak, made their journey to Strasburg and thence down the valley by way of Winchester to Harper's Ferry, making many narrow escapes from the mobs collected at different points along the way.

The arrival at their homes of the western delegates was the occasion of general agitation of the whole population of western Virginia. They were quick to comprehend the desperate character of the situation, but unable at once to unite on a common course to meet it. As in all such crises, there was at first great confusion and diversity of opinion in the public mind. Public meetings of the people in the various counties were the order of the hour. The returned delegates were active in organizing these meetings.

The first of these meetings was held at Morgantown, the home of Hon. W. T. Willey, who had arrived fresh from the Richmond convention, and his constituents were eager to learn from him the real situation and his views as to the most expedient course to be taken by the people of western Virginia, who were not in accord with the action of the Secession Convention. The temper of the citizens of this locality expressed at this first meeting was representative of the prevailing sentiment throughout the western section. They entered a solemn protest against the secession of Virginia; denounced such action as treason against the government of the United States; declared their unalterable opposition to such a course; that they would not follow Virginia, but would dissolve their civil and political relations with the East, and commended the firmness of western delegates in resisting secession from the Union.

Similar meetings were held in a number of counties. They served to give character and direction to the forming opinions and judgment of the masses of the people. Notable among these meetings was one held at Clarksburg on April 22, which was convened at the instance of the delegate from that county, Hon. John S. Carlile, and which gave the first practical turn to the course of affairs. This meeting adopted a series of resolutions denouncing and repudiating the course of the Richmond convention, and recommended to the people of each of the counties of western Virginia to appoint five delegates to meet in convention at Wheeling on May 13 following, "to consult and determine on such action as the people of northwestern Virginia should take in the present fearful emergency."

Out of this proposition came the convention at Wheeling known as the "Mass-Meeting" or "Mass-Convention," which took the initiative step toward the dismemberment of Virginia and the erection of a new state. Hither had come, in large numbers, the representatives of the people of the western counties to confer and determine upon a course of action that involved momentous results. These delegates, it is true, had no very well defined idea of what they were there for. Their mission had not been exactly defined or determined. It was an irregular kind of proceeding. No statute law or constitution authorized or gave jurisdiction to the convention. No official authority could be found for the calling of the convention or the appointment of delegates. It was one of the steps in a revolution.

The convention was formally opened and organized; officers were elected, committees appointed, and all the machinery of a parliamentary body was soon in operation. The ideas and plans of the individual delegates were soon disclosed by a torrent of

resolutions. But amidst conflicting views, one fact was developed beyond doubt, and that was that if there was any approach to unanimity on any course, it was for a separation from the old commonwealth and the formation of a new state out of the western counties.

This was the only specific scheme that had been agitated among the delegates. John S. Carlile was the author and open advocate of this measure, and he had done no little missionary work in its behalf. The idea of severing relations with the old state seemed best to satisfy the vindictive spirit of the hour. It became the rallying cry of the convention.

Thus it soon came to be not so much a question of what the convention desired to do, as how to do it. Here was a purpose and a proposition to erect a new state. It was a movement without precedent in the history of the states. Other states had been formed, but no state had been arbitrarily carved out of the territory of another state.

Mr. Carlile came forward as the leader of the scheme in the convention. His scheme for the formation of a new state was purely revolutionary in its entire conception. The next day after the convention opened he introduced the following resolution which became the basis of the debate which ensued:

"Resolved, that the committee on state and federal relations be instructed to report an ordinance declaring that the connection of the counties of this state composing the tenth and eleventh congressional districts, to which shall be added the county of Wayne, with the other portion of this state is hereby dissolved, and that the people of said counties are in the possession and exercise of all the rights of sovereignty which belong and appertain to a free and independent state in the United States and subject to the constitution thereof; and that said committee be instructed to report a constitution and form of government for the said state, to be called the state of New Virginia; and also that they report a declaration of causes which have impelled the people of said counties thus to dissolve their connection with the rest of the

state, together with an ordinance declaring that said constitution and form of government shall take effect and be an act of this day when the consent of the Congress of the United States and of the legislature of the state of Virginia are obtained as provided for by Sec. 3, Article 4 of the Constitution of the United States."

As already noted, the above proposition was essentially and purely revolutionary in its character. It ran counter to every principle and provision of our system of government for the creation of a new state. But to the large majority of the members of this convention, matters of constitutional law and government were new and unpalatable at this time. Yet there were a few men among the delegates who looked beyond the present and who knew that the scheme of Mr. Carlile, carried to its ultimate end, would only result in defeat and failure of their cherished object.

In this exigency, Hon. W. T. Willey was put forward to stem the tide and undertake the bold and seemingly hopeless task of getting the convention to think. Mr. Willey was the opposite of Mr. Carlile in character and temperament. He was less optimistic, more conservative, and as a lawyer he had a clear view of the issues involved, as well as a natural bias for a legal and orderly proceeding. He and Mr. Carlile were fresh from the Richmond convention, where they had together wrestled manfully to prevent the secession of Virginia, and while they were now equally earnest in their desire to thwart the secession movement in the East, they were to become the chief opponents in a memorable debate.

Mr. Willey's appearance in the rôle of an opponent of the pending proposition was the signal for an outburst of angry denunciation both from the convention and the crowds in the lobby and in the streets. They called him a traitor and a secessionist. Mr. Willey threw himself into the debate with all his native eloquence and clearness of statement, and

finally gained the ear of the convention. He declared that he would never lend himself to a revolutionary or an insurrectionary means of accomplishing an object which he thought could be accomplished according to law. He pointed out with great force the provisions of the Federal constitution governing the formation of a new state. He cited Sec. 3 of Art. 4, which declares:

"New states may be admitted by the Congress into this Union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned, as well as of the Congress."

He called attention to the fact that Mr. Carlile's plan proposed to call a new state into existence by a simple edict of the convention. He argued that the convention there assembled could not predicate any authority for such a precipitate proceeding upon the call of the people they represented; that the delegates had not been appointed with that view, or empowered to act with such extreme vigor; that this was but an informal meeting of the people, not legally convened, and could not bind the people either in law or reason, or by any known rule or precedent; and above all, that the Federal government would not recognize a state created thus, because it was not after the mode prescribed by the Constitution of the United States. He said the proceeding, if carried out, would be "triple treason"—treason against the state of Virginia, treason against the United States, and treason against the Confederate government if that should succeed in maintaining itself. In other words, there was no existing government that did not assume a legal status, except the one proposed for the new state.

This debate continued three days with great earnestness, and the result was marvelous as an illus-

tration of how a body like that may be turned about from a fixed and resolute purpose to accept and adopt that which it had almost unanimously and stubbornly opposed.

When the "Mass-Convention" had changed its mind on the Carlile plan, it turned about to reach the same object in another way. Hon. F. H. Pierpoint came forward with some resolutions which were in the nature of a substitute for the Carlile plan, providing for holding a convention on June 11 following, to which delegates should be regularly chosen by all the loyal counties and which should devise such measures as the welfare of the people of the northwestern counties should demand. This proposition left all questions open as to what that subsequent convention should do. It was confidently believed that any convention would favor a separation from the old state, but the particular plan for accomplishing that object should be determined by the convention itself.

This proposition met with the approval of the convention, and it made a call upon all the western counties disposed to coöperate to send delegates to the convention appointed for June 11. The whole matter was put in the hands of a well chosen executive committee and amidst a blaze of enthusiasm, and the singing of the "Star Spangled Banner," this remarkable and historic convention adjourned, after having set in motion events which made the first chapter in the history of a new state.

Reorganizing the Virginia Government.

The convention of June 11 assembled in accordance with the call of the "Mass-Convention."

Thirty-five counties of the northwest were represented, and had sent an aggregate of seventy-seven delegates.

The convention having organized, very much the same problems that had confronted the previous body immediately arose. Two schemes were presented, that of immediately forming a new state out of the counties represented in the convention, after the Carlile plan, and the other of reorganizing the Virginia state government and assuming that these counties represented in the convention were the state.

There were two weighty reasons for preferring the latter proposition. There were enough far-sighted men in the convention to see that they could not have a new state until they could get control of the old state so as to give its consent, as the constitution required, to forming a new state out of its territory. Moreover, to assume that they were Virginia was the quickest and easiest course to having a state government whether it were a new or an old state.

The majority of the convention soon shifted to the support of the proposition for reorganizing the Virginia government out of the loyal counties, vacating the offices, taking possession of the whole machinery, and calling the organization the state of Virginia. They could thus have a state already made, already recognized, and quite sure of the recognition of the Federal government in preference to that purporting to be the government of Virginia at the city of Richmond. The shrewd and far-sighted men who had now come into control of affairs realized that they had immediate need of a state government ready made, and they had special need of control of the Virginia government. It was the state of Virginia that was to be dismembered, and the consent of the state of Virginia was the first essential step to the legality of this purpose. What hope had they, indeed, of the consent of the Rich-

mond government to anything like that? But if they, west of the mountains, were the state, it was an easy proposition to have the consent of Virginia even to dividing it in sunder. To this end the convention adopted, with great unanimity, and promulgated an address or declaration of their motives and purposes, and a statement of the grievances which impelled them to this course. They framed and passed, without a dissenting vote, an ordinance which set forth in detail the scheme for reorganizing the state of Virginia. The convention was to appoint a governor, lieutenant-governor and attorney-general, to continue in office for six months; a test oath was required of all other officers then serving under the Virginia government, and on refusal of the incumbent to take the oath, the governor was to declare the office vacant and appoint a successor. The legislature was shortly to assemble and provide for a speedy general election to fill all the offices of the government.

Under this scheme the convention elected Francis H. Pierpont, governor; Daniel Polsley, lieutenant-governor, and James S. Wheat, attorney-general.

The convention then formally declared all ordinances, acts, orders, resolutions and other proceedings of the Richmond convention illegal, inoperative, null and void. With a view of taking up in earnest the work of erecting a new state, the convention adjourned on June 20, to reconvene at the same place on August 6 following.

The Restored Government of Virginia in Operation.

In pursuance of the ordinance of the June convention, the first legislature under the reorganized government of Virginia met at Wheeling on July 1, 1861.

Governor Pierpont sent in an elaborate message, among other things, informing the legislature that

he had communicated to the President of the United States the purposes and acts of the convention and people of the northwest counties in endeavoring to preserve the state of Virginia to the Union, and had received his assurance that they should have such assistance from the Federal government as could be given under the authority of the constitution.

On July 9 the two houses proceeded to complete the organization of the government by filling the offices that were vacant. They appointed various state officers.

It appearing that R. M. T. Hunter and James M. Mason, senators, representing Virginia in the United States Senate, had vacated their seats and were engaged in the effort to overthrow the Federal government, the legislature proceeded to supply their places, and, accordingly, Waitman T. Willey and John S. Carlile were elected United States senators from the state of Virginia. These gentlemen proceeded to Washington, presented their credentials from the Virginia government at Wheeling, and were duly admitted by the United States Senate as senators from Virginia.

This was the first formal recognition by the National legislature of the validity of the restored government.

On May 13, 1862, the legislature of the restored government passed an act giving the formal consent of Virginia to the erection of a new state out of her territory.

This territory included forty-eight counties of northwestern Virginia, and made provision for including three more—Jefferson, Berkeley and Frederick—when they should vote to come in. The first two subsequently voted in favor of the proposition, but the county of Frederick never voted on it.

These fifty counties having given their assent by

a formal vote to the formation of a new state, the next step was to make a constitution for the new state.

The delegates chosen for that purpose assembled in convention at the city of Wheeling on Nov. 26, 1861. After organizing, it entered upon the work of framing a constitution for the new state, and was occupied with that work for about two and one-half months. They made many radical changes in the constitution of the old commonwealth.

The most exciting question which arose in the convention was that relating to the position which the new state would take toward negro slavery. The question of slavery was not a dead or indifferent issue even in western Virginia. There were included in the population of the forty-eight counties represented in the convention, at that time, 12,771 slaves in a population of 334,921 whites—a very small proportion, it is true, but enough to make the property value an item worth considering to those who owned it. The convention determined that the constitution should be silent on the question of slavery, and that at the time the constitution should be submitted to a vote of the people on its adoption, a kind of side vote should be taken for emancipation and against emancipation. When the vote was taken it was 6,052 for emancipation to 610 against, or ten to one in favor of a free state. The vote on the adoption of the constitution taken at the same time was 18,862 in favor to 514 against it.

The legislature of the reorganized government of Virginia assembled on May 6 following, and gave its formal assent to the formation and erection of the state of West Virginia within the jurisdiction of the state of Virginia, "according to the stipulations and provisions of the constitution," which was laid before them by the government as having been adopted

by the people. The act of the legislature was ordered to be transmitted to the senators and representatives in Congress, together with a copy of the constitution, with the request that they should endeavor to obtain the consent of Congress to the admission of West Virginia into the Union.

The New State Issue in Congress.

On May 29, 1862, Senator Waitman T. Willey, who, in connection with Senator John S. Carlile, represented the state of Virginia under the restored government in the United States Senate, presented to the Senate the application for the formation of a new state, the act of the legislature giving its assent thereto, a copy of the constitution adopted by that portion of Virginia which proposed to erect a new state, and a certified copy of the returns of the vote showing the adoption of that constitution, and Mr. Willey accompanied the application with an address in which he recited the conditions which prompted the movement.

The application was referred to the Territorial Committee, and this committee, after much difficulty in agreeing upon the terms of a bill, reported on June 23, Senate bill number 365, which contained the usual specifications and some unusual conditions upon which the consent of Congress would be granted to the admission of the proposed new state.

The chief of these conditions related to the question of slavery. It will be remembered that the constitution adopted by the convention which framed it was silent on the subject of slavery. The convention had voted down a proposition to insert a clause for gradual emancipation, or submit it to a vote of the people, although an informal vote was taken at the same time. But there were 12,000 negro slaves in the territory out of which the new state was to

be formed, and if these counties were admitted as a state with no provision for the emancipation of the slaves, it would continue to be slave territory. Therefore, as had been anticipated, Congress was not disposed to admit another slave state, unless provision was made for making it a free state in the near future.

The committee reported the bill with a condition requiring gradual emancipation. Senator Willey offered an amendment relating to some other condition of the bill, and also providing for reconvening the convention for the purpose of adopting a provision for gradual emancipation of the slaves. Senator Wade, of Ohio, offered an amendment that the clause of the new constitution relating to slavery should provide that "all slaves within the said state who shall, at the time aforesaid, be under twenty-one years of age, shall be free when they arrive at the age of twenty-one."

The Willey amendment as thus amended was adopted, and this settled the feature of the bill relating to slavery so far as the Senate was concerned, and all cause of opposition from the majority of the Senate having been met, the bill was put upon its passage on July 14, 1862, and adopted by the Senate by a vote of seventeen for, to twenty-three against—Senator Carlile casting one of the votes against it.

The Senate bill became the order of the day in the House of Representatives on December 9 following. The debate on the bill occupied two days, and traveled along the lines that had been traversed by the Senate, except that the conditions regarding slavery did not become a question. But the constitutional questions involved were discussed with great ability on both sides.

The vote of the House on the passage of the bill

resulted in ninety-six in favor and fifty-five votes against it. The bill was approved by the President, and became a law on Dec. 31, 1862.

But it must be noted that the passage of the bill by Congress did not yet admit West Virginia as a state. The bill made it conditional that the clause which Congress had prescribed relating to slavery should be inserted in the constitution by the constitutional convention, a vote be taken upon its adoption and ratified by a majority of the voters, and that when all this was done and duly certified to the President of the United States, it should be lawful for the President to issue his proclamation stating the fact, and thereupon the act should take effect and be in force on and after sixty days from the date of said proclamation.

In obedience to this act the constitutional convention was reconvened on Feb. 12, 1863. The "Willey Amendment" relating to slavery was, after much debate, adopted by the convention almost unanimously. It was submitted to a vote of the people on March 26, 1863, and adopted by a majority of 27,749 —there being only 572 votes cast against it.

The result of the vote was certified to the President of the United States, in accordance with the act of Congress, and thus the last step, but one, toward the consummation of the long contest for a new state had been successfully taken.

The State of West Virginia, as a fixed star in the galaxy of the Union, only awaited the proclamation of President Lincoln.

President Lincoln Starts the Machinery of the New State.

The proclamation of President Lincoln ushering in the new state was at this stage, of course, a mere matter of form. But Mr. Lincoln had not reached this point in the proceeding easily and without hesi-

tation. He had had his fight between the patrons and opponents of the measure when the bill came to him from Congress for his signature. The pressure that was then brought to bear to induce him to veto the bill, perhaps made him more careful in its consideration than he otherwise would have been.

It is safe to say that all Mr. Lincoln's inclinations were toward giving the executive sanction to the new state movement. He had promised the people early in their struggle that they should have his support as far as the constitution would warrant. But now he was up against the question both from a legal standpoint and as a measure of public policy. He took his constitutional limit for determining this. He took the written opinions of the members of his cabinet. It was during Christmas week while Congress was taking a holiday that Mr. Lincoln was wrestling with the new state bill. The friends and patrons of the bill were on the ground anxiously awaiting the decision of the President, and the ear of all western Virginia was turned toward Washington to hear the result. On New Year's Day, 1863, the President approved the bill.

The battle had now been fought and won. Henceforth the territory carved out of the mother state of Virginia was to be a distinct and independent state of the Union. The issue had passed the discussion of the two houses of Congress, the cabinet chamber, and had received the approval of the Executive. Every requirement of the act had been fulfilled on the part of the people of western Virginia. The forces of opposition had been withdrawn, and only the formal declaration of the President was necessary, under the act, to usher in the new state.

On April 20, 1863, President Lincoln issued his proclamation declaring that all necessary provisions of the act of Congress creating the new state hav-

ing been complied with, the said act should take effect and be in force from and after sixty days from the date of said proclamation.

Thus, on June 20, 1863, the State of West Virginia became a legal entity. It needed only to be organized and have its governmental machinery set in motion. And it was not long about it.

Hon. A. T. Boreman was elected its first governor. Governor Pierpoint and his staff quietly folded their tents and transferred the government of Virginia, which they supposed was in their keeping, to Alexandria. There he continued to administer the government of Virginia in the interest of the Federal authority, while Governor Letcher, at Richmond, continued to administer it in the interest of the Confederate authority. The legislature of the new state met in Wheeling on the day when, by the proclamation of the President, the new state was born, and proceeded to organize the government. It elected two senators to represent the new state in the United States Senate. Hon. W. T. Willey and Hon. P. G. Van Winkle were chosen to these positions. They repaired to Washington with their credentials, and although their appearance at the bar of the Senate was the occasion for formal objection to their admission by those who had opposed the new state project, and now held it had no legal existence, this was only a form of graceful submission to the inevitable. They were duly admitted, and the Senate of the United States, followed by the House in admitting delegates, thus gave the formal, full and final recognition of the Congress to the State of West Virginia.

Bibliography.—Fast and Maxwell: *Formation of West Virginia;* W. P. Willey: *An Inside View of the Formation of West Virginia.*

William P. Willey,

Professor of Equity, Jurisprudence, and Commercial Law, West Virginia University.

Chapter III.

WEST VIRGINIA, 1863-1909.

West Virginia's Part in The War of Secession.

In the war for Southern independence, to which West Virginia owes her existence as a state, the West Virginians, in proportion to their number and wealth, did as much as the people of any other state. That they were not friendly to secession was shown by their vote of ten to one against the Virginia ordinance of secession. That the determined character of this opposition to the action of Virginia was underestimated by the authorities at Richmond was shown by the persistent efforts of Virginia to secure control of her western counties and to collect forces therein for the Confederacy. Not until the failure of the Imboden raid was the true sentiment of West Virginia understood by the Confederates. To the Union army she furnished over 30,000 regular troops, exclusive of the 2,300 Home Guards, consisting of thirty-two companies organized to defend thirty-two home counties from invasion. For the Confederate service she furnished between 7,000 and 10,000, nearly all of whom enlisted before the close of 1861. The importance of West Virginia's contribution to the war cannot be estimated alone by the number of men which she furnished. The failure of the Confederates to hold the territory and to secure the Baltimore and Ohio Railway gave the Union forces a great advantage in the transportation of troops between Ohio and the East.

Politics and Political Issues.

West Virginia entered upon her career as a separate state of the American Union at the most crit-

ical period in the War of Secession—two weeks before the battles of Gettysburg and Vicksburg in 1863. After the President's proclamation of April 20, the new government was rapidly organized. Arthur I. Boreman for governor, and other state officers, nominated at a convention at Parkersburg early in May, were elected the latter part of the same month. Judges of the supreme court and county officials were elected at the same time. On June 20 the state officers began their duties. On the same day the first legislature (twenty senators and fifty-one delegates) assembled, and on August 4 it elected two United States senators—Waitman T. Willey and Peter G. Van Winkle. Soon thereafter congressmen were elected from each of the three newly formed congressional districts.

The new state government, laying the foundation stones of state institutions and of future order and development, was confronted by many serious difficulties and obstacles—economic, social and political. The people, separated into many detached local groups by precipitous mountains and rugged streams, had not developed unity of action nor social and commercial identity, except, perhaps, in the counties along the Ohio, and along the Baltimore and Ohio Railroad. The most serious immediate political difficulty was the sympathy for the Confederacy exhibited in various parts of the state. Although the Confederates had soon lost control of the larger part of the state, over 7,000 West Virginians had entered the Confederate army early in the war—about one-fourth of the number who enlisted in the Union army—and the Confederate raids and skirmishes into the state, at first to prevent separation from Virginia, were continued until the close of the war.

Counties along the southern border of the new state were partially under the control of the Con-

federates until near the close of the war, and "were forced to pay heavy taxes to the Richmond government, and to furnish soldiers for the Confederate army." Other counties along the border suffered from irregular "bands of guerrillas and marauders" whom the state troops were unable to manage. In the sad state of disorder, the governor recommended that the citizens should organize to capture and kill the "outlaws" wherever and whenever found, and appealed to the Washington government, which organized the state into a military district under command of General Kelley, who scattered many irregular bands and gradually rendered life and property secure; but in some portions of the state the civil authorities were helpless against lawlessness long after the close of the war.

Under these conditions the administration was seriously embarrassed by lack of funds to meet ordinary expenditures. In 1864 the governor reported that one-half of the counties had paid no taxes and others were in arrears. In fourteen counties there were no sheriffs or other collectors of taxes, "because of the danger incident thereto." The burdens of the counties which paid were necessarily increased. One of the earliest measures of the state government was an act (1863) providing for the forfeiture of property belonging to the enemies of the state, including those who had joined the Confederate army; but such property was seized only in a few instances and the law remained practically a dead letter—because the citizens of the state were usually unwilling to take advantage of the political disabilities of their neighbors.

Though in the election of 1864 there were only a few scattering votes in opposition to the officers of the state administration, there were no means of obtaining an expression of the people in some of the

extreme southern counties where the governor reported that, owing to the Confederate incursions and local conditions, it was still impracticable to organize civil authority.

At the close of the war there were still many sources of disorder and friction. The most prominent related to the political status of those who had joined or aided the Confederate cause. The first general election laws of West Virginia, passed in 1863, had provided for election supervisors and inspectors who were authorized to require from all whose eligibility to vote was in doubt an oath to support the constitution of the United States and of West Virginia. Naturally the Unionists considered that those who had supported the Confederate cause could not safely be entrusted with political power immediately after their return from the Confederate armies, and before they had proven their willingness to coöperate in maintaining the established order. This opinion was enforced by conditions and events. In 1865 organized bands of returning Confederates committed several murders and robberies in Upshur, Barbour, Marion and Harrison counties. The legislature, with partisan spirit increased, passed the voter's test act, requiring from all voters an oath that they had neither voluntarily borne arms against the United States, nor aided those who had engaged in armed hostility against the United States. It also proposed an amendment disfranchising those who had given voluntary aid to the Confederates—of course with the intention of removing the disabilities in course of time. This further aroused the spirit of antagonism and insubordination in the minds of the ex-Confederates who were "impatient to repossess themselves of place and power."

In the elections of 1865 the test oath act was not

strictly enforced, and in a few places it was entirely ignored. Many ex-Confederates, claiming that the law was unconstitutional, took a free hand in organizing the local government. In some places they ran for office, and in Greenbrier county two were elected—one to the state senate and the other to the house of delegates. In his message of 1866 Governor Boreman, commenting upon the alacrity with which the ex-Confederates insisted upon participation in politics, advised the legislature to enact a more efficient registration law, to require election officers to take a test oath, and to give the necessary concurrence in the proposed disfranchisement amendment so that it could be submitted to the people. The legislature promptly passed a registration law, authorizing the governor to appoint in each county a registration board consisting of three citizens who were given power to designate the township registrars. It also concurred in the proposed amendment which was promptly ratified by the people on May 24, 1866, by about 7,000 votes, thereby disfranchising between 10,000 and 20,000 persons.

Although there is yet considerable difference of opinion in regard to the wisdom of these measures, it is generally agreed that they were the natural result of conditions which seemed to threaten not only the policies of the administration but also the integrity and independence of the new state. Many of those who were disfranchised hoped to see West Virginia return to the control of Virginia. In Jefferson county a large number of persons, stating that the transfer of the county from Virginia to West Virginia during their absence was irregular and void, refused to acknowledge that they were West Virginians, and attempted to hold an election as a part of the state of Virginia; but they yielded when General Emory was sent to aid the civil offi-

cers in maintaining the law. Virginia, too, tried in vain to secure the return of Jefferson and Berkeley counties, first by annulling the act of the Pierpont government which had consented to the transfer, and second (1866) by bringing a suit in the supreme court which, in 1871, was decided in favor of West Virginia. In 1866, while Pierpont was still governor of Virginia, the legislature of that state appointed three commissioners to make overtures to West Virginia for the reunion of the two states, but the legislature of West Virginia rejected the proposition in 1867, stating that the people of the new state were unalterably opposed to reunion. At the same time the condition in some of the southern border counties caused the legislature to enact a more exacting registration law, requiring an applicant for registration not only to take the test oath but also to prove that he was qualified to vote. A state of insubordination existed in three or four counties. In some places no elections had been held in the fall of 1866 because of the fear of violence. The judge of the ninth district, including Greenbrier and Monroe counties, had received anonymous letters threatening his life. In his message the governor stated that the ex-Confederates who caused these troubles were "learned men."

The new registration law, which gave to registrars the power to identify those who had aided the secessionists in any form, increased the antagonism to the administration, and the opposition to the laws. During the campaign of 1868 there was much partisan excitement and friction. Many, unable to take the ironclad oaths which would enable them to vote, and perhaps further irritated by the adoption of the Fourteenth amendment, frequently attempted to intimidate public officials, and threatened violence which in some places prevented elections and in

others compelled the governor to appeal for Federal troops to aid in the maintenance of law and order. Force was necessary to aid in the execution of the law in the counties of Monroe, Wayne, Cabell, Logan, Randolph, Tucker, Barbour and Marion. In some counties the restrictions of the registration law were almost entirely disregarded. As might have been expected, in some instances disorders arose from arbitrary refusal to register persons against whom there was no tangible evidence, or from unnecessary and unwise rigidity in administering the law—which of itself was not necessarily unjust nor unwise.

Before the election of 1869 there was a vigorous discussion of the suffrage question in all its phases. A large number of the liberal Republicans considered that a continuance of the test oaths was inexpedient and desired to adopt some policy that would terminate the bitter animosities of years. The legislature of 1870 repealed some of the test oaths. Gov. William E. Stevenson, who had defeated J. N. Camden, the Democratic candidate for governor, by a majority of only 5,000, with vigorous progressive views continued the constructive policy of his predecessor, endeavoring to remove the deeply rooted prejudices against immigration, and earnestly favoring liberal legislation to encourage projects of internal improvement and industrial enterprise which would engage the people of the state in the development of its resources and terminate the quarrels over past issues. He also recommended an amendment to the constitution to restore the privileges of those who had been disfranchised by the amendment of 1866. W. H. H. Flick in the House proposed the amendment which, after acceptance by the legislature of 1870 and 1871, was ratified by a vote of the people by a majority of 17,223, and proclaimed by the governor in April, 1871.

In the meantime, in the election of 1870, the opposition had pushed their claims to registration—often by intimidation of the registrars. In some counties the law was so far disregarded that every male of the required age was registered. This laxity in the enforcement of the more stringent features of the registration law, together with the opposition to negro suffrage, resulted in a victory for the Democrats, who elected John J. Jacobs governor by a majority of over 2,000 votes and secured a working majority in both houses which they retained for a quarter of a century. Although Jacobs' usefulness was somewhat restricted by limited views of statesmanship, he was conservative and moderate in his policies.

The strong reactionary elements which composed the Democratic party demanded a constitutional convention, and their strength was shown in the legislature of February, 1871, and in the election of August, 1871, which determined the question. In the election of the following October they elected sixty-six of the seventy-eight members of the convention. The twelve Republicans they humorously called "the twelve apostles."

The convention met at Charleston on Jan. 16, 1872, and remained in session for eighty-four days, completing its work on April 9, 1872. The new constitution, ratified by the people by a majority of 4,567 votes, exhibited the marks of the period of partisanship which preceded it.

Strong efforts were made by the most radical reactionaries to keep West Virginia under the influence of the life and institutions of Virginia and the South. After the early sessions of the convention, these efforts were somewhat neutralized by the more liberal or modern Democrats who feared that the ex-Confederate element of the party might force into the

constitution provisions which would defeat it before the people.

Although the new constitution made some wise changes—lengthening the term of state executive officers to four years, doubling the terms of members of each house of the legislature, and providing for biennial (instead of annual) legislatures—it contained several restrictions and inhibitions and various antiquated and imperfect provisions which have retarded or prevented the governmental adjustments necessary to meet modern West Virginia conditions. Abolishing the township system, it provided for the return to the old county system—the Virginia idea of government by justices of the peace—which was subsequently changed by amendment (1881). Although other clauses were changed by amendments in 1884 and 1902, still other changes are needed. For instance, in spite of the great need of a secret Australian ballot to prevent traffic in votes, the antiquated clause still provides that "the voter shall be left free to vote by either open, sealed or secret ballot as he may elect." In 1903 Governor White, suggesting the need of a constitutional convention, said: "Our constitution creaks at almost every joint."

The political and constitutional history after 1872 may be briefly summarized. In the election that followed the adoption of the new constitution the Democrats were divided. Camden, who was their regular nominee, was defeated by a majority of 12,363 by Governor Jacobs, the independent candidate, who, after his reëlection, devoted much attention to measures relating to the material development of the state.

In the exciting election of 1876 the Democratic state ticket of eight persons, seven of whom had been in the Confederate army, was elected by a ma-

jority of from 12,000 to 16,000. H. M. Mathews, who defeated Gen. Nathan Goff, the popular Republican candidate for governor, was a patriotic, broad and liberal-minded Confederate who had fully accepted the results of the war and was well fitted to lead in meeting living issues. His administration has been characterized as an era of good-feeling in which the state began to show new signs of awakening life—especially in industrial development.

Gov. J. B. Jackson, who succeeded Governor Mathews in 1881, was an honest but partisan Democrat of the old school who, in the election of 1880, received a plurality of 16,139 over George C. Sturgiss, the Republican candidate. Jackson favored the enactment of laws that would encourage immigration, manufactures and the development of the material resources of the state. He also attempted to secure reforms in taxation and state finance by directing that all property not exempted by the constitution should be listed for taxation, and by the appointment of a tax commission (1883). During his administration, a period of continued general prosperity and happiness (excepting the calamitous results of the great floods of February, 1884), steps were also taken to revise the laws, some of which were indefinite and inconsistent.

Under Gov. E. Willis Wilson, who was elected in 1884 by a majority of 5,289, there was a continuation of the agitation for the revision of the tax laws in order to secure equality of taxation, and the governor also proposed legislation to reform the election laws, to prohibit oppressive trusts and combinations, and to prevent the distribution of railway passes to officers of the state and delegates to political conventions. The administration waged a fierce and relentless war against the trunk line railroads which, the governor said, had discriminated against the

people of West Virginia in freight and passenger rates. To secure regulation of railway rates the governor called a special session of the legislature, which, after heated debates and a close vote of nineteen to nineteen in the House (twenty-seven absent and not voting), dropped the further consideration of the subject and decided to await the result of the operation of the new national interstate-commerce law, which had just passed Congress and was approved by a joint resolution of both houses of the legislature, and which soon proved beneficial to West Virginia shippers.

Gov. A. B. Fleming, who contested the certified returns which gave his opponent (Gen. Nathan Goff) a majority of 110 votes, and received his office only by a strictly party vote (forty-three Democrats to forty Republicans) of the two houses of the legislature, continued the policy of his predecessor, who, as a result of the contest, had continued to act as executive for nearly a year beyond the term for which he was elected. He urged the taxation of the property of the Pullman Company and other foreign car companies, and the business of foreign telegraph companies originating in the state. He also recommended a general policy of legislation to preserve the resources of the state from monopoly, to foster agricultural interests and to diversify the various industries of the state.

Gov. Wm. A. MacCorkle, who defeated Thos. E. Davis, the Republican candidate, by a majority of less than 4,000 in the election of 1892, was a liberal, progressive young man who urged legislation for the adjustment of state taxation, liberal appropriations to support the growing institutions of the state, and proper regulative machinery to meet the changing conditions. He cordially coöperated with the spirit of the Republican legislature in favor of re-

organizing the old partisan boards of state institutions and securing needed reforms "to give to the institutions the greatest degree of efficiency, free from the influence of politics."

The Democratic majority, which had reached its highest point in 1880, had steadily declined after that date until it became the minority at the close of MacCorkle's administration. In the election of 1896 the entire Republican state ticket was elected. George W. Atkinson defeated Cornelius C. Watts for governor by a plurality of 12,070 votes. The legislature had already elected one Republican senator (S. B. Elkins) in 1895, and in 1899 it proceeded to elect another (N. B. Scott). Governor Atkinson advocated policies for the improvement of the public schools, the improvement of roads by some system of permanent road building, the improvement of conditions of labor by state regulations, a radical amendment of the election laws, the encouragement of immigration, and other measures to meet the new and phenomenal industrial expansion in the state which continued to influence political problems and policies in subsequent administrations.

In the election of 1900 Albert B. White, Republican, defeated John Homer Holt for governor by a plurality of 19,516. In 1904 Wm. M. O. Dawson, Republican, defeated J. J. Cornwall by a plurality of 9,083. At the same time the Republican plurality for President was nearly 32,000, and for state officers was nearly 25,000. Under both White and Dawson the extension of state regulation and the reform of the tax laws furnished the largest questions in politics.

For a quarter of a century, although the constitution provided that taxation should be equal and uniform throughout the state, there has been much complaint of the inequalities and injustice of the tax

laws. A tax commission created by the legislature of 1883 had scathingly criticised and condemned the laws, but without practical results. Though in 1885 the legislature, which had never before exercised its power under the constitution of 1872 to tax privileges and franchises, finally enacted a law taxing corporations, little was realized from it. Though in 1887 it provided for an inheritance tax (of 2½ per cent.), a defect in the law rendered it of little value. The first substantial reform in the old laws was made by the legislature of 1901, which largely increased the revenue from license taxes in charters of corporations (regulating the rate according to the amount of authorized capital), and creating a tax commission to submit plans for further reforms. In 1904 the legislature, at a special session, created the office of state tax commissioner and enacted a system of twenty-one tax laws, which greatly lessened inequalities and practically provided for the extinguishment of direct taxes for the support of the state government after 1906. Though these reforms have been strongly opposed, it is generally recognized that with some modifications the reform policy will be sustained and continued.

The Republicans have steadily increased in number and influence with the great industrial development of the state, which has been accompanied by a rather large and continuous immigration from the north and northwest, the fading of old traditions and the rise of new issues. In the face of their increasing strength, however, they endangered their prospect of success at the polls in 1908 by party dissensions, which resulted in two opposing state organizations of the party and two gubernatorial tickets. On the other hand, it was stated that the Democratic state convention on July 30, 1908, weakened the chances of the Democratic state ticket by com-

mitting the party (by a vote of 712 against 411) to negro disfranchisement and "Jim Crow" cars.

Within a month of the election, the Republicans, by agreeing to the withdrawal of rival gubernatorial candidates and the selection of a new head for their ticket, succeeded in electing their candidate for governor, W. E. Glasscock, and their entire state ticket.

Industrial Progress.

The vast resources of West Virginia, whose development was so long delayed and retarded by lack of transportation, have recently furnished the incentive for many new enterprises which have greatly changed the life of the state. The recent industrial development of West Virginia had its origin largely in the increasing demand for timber, coal, oil and gas, and to the resulting inducements for the construction of railroads and the establishment of certain manufactures such as glass, iron and steel, for which the state furnishes a clean, cheap fuel.

The development of agriculture, as a skilled business in West Virginia, was greatly retarded by the habits of the people resulting from frontier conditions and long-continued lack of transportation facilities. There had been little concentrated or cooperative action for improvement of agriculture before the war. Except in a few counties the people were satisfied with production for bare subsistence, and gave little attention to production for exportation. There were few dealers in farm implements even at the close of the war, and the steam thresher did not come into use until about 1880, after which there was a rapid introduction of all kinds of improved implements and machinery. Since 1891 considerable advance has been made through the influence of farmers' institutes, better communications and various associations.

Lumbering (the lineal descendant of the earlier cutting and rafting of tanbark, hoop-poles and logs), although it had developed little before 1865, ranked second among the industries of the state in 1900, and first in 1905.

At the close of the war an awakened interest in the latent mineral resources of the state indicated the beginning of a new era of development. Coal mining companies were formed and coal mining operations were begun in Putnam, Boone, Wayne, Mason and Monongalia counties by 1869, and in Sewall mountain on New River in 1873. Operations were extensive in four other counties (Marion, Fayette, Harrison and Ohio) by 1880, and at the same time embryo operations were begun in the coke industry which steadily increased after 1880, and especially after 1890, when machines were introduced for mining. In 1903 there were 530 mines inspected, and the total production was 24,000,000 long tons, of which nearly 19,500,000 tons were shipped to market.

Petroleum, first obtained in large quantities in 1860 on the Little Kanawha near Parkersburg, developed a thriving business, which, although ruined by the Confederates in 1863, was revived in 1865 and greatly extended by operations in Wirt, Wood and Pleasants counties. From 1876 to 1889 there was little extension of productive area. The yearly production steadily declined during this period, but it rapidly increased from 544,000 barrels in 1889, to 16,000,000 barrels in 1900, surpassing both Pennsylvania and New York. By means of a series of pumping stations this product is forced through pipe lines over the mountains to the seaboard cities.

After 1882, by the opening of new gas wells and the discovery of new gas fields, the practical use of gas became a large factor in the industrial and so-

cial development of the state, furnishing the inducement for the location of many manufacturing establishments seeking cheap fuel and attracting immigrants desiring a clean and convenient fuel for their homes.

Industrial progress has been greatly influenced by corresponding development of means of transportation. The state began its existence with few facilities for communication in the larger portion of the state. Of the few turnpikes the most important were the Staunton and Parkersburg, and the Winchester and Parkersburg ("Northwestern"). South of the Great Kanawha, roads of any kind were few and in very bad condition. Steamboat navigation within the state was confined to a very few streams. There was but one railroad, the Baltimore and Ohio, whose influence affected only a narrow strip across the northern part of the state. The new government promptly took steps to secure the improvement of the Great Kanawha and the Little Kanawha, and encouraged the construction of railroads. Of the many proposed railways chartered after 1864, several were completed by 1885. In 1871 the Baltimore and Ohio railroad purchased the old Hempfield railroad, in operation between Wheeling and Washington, Pennsylvania, and completed it to Pittsburg. In January, 1873, the Chesapeake and Ohio was completed westward from Sulphur Springs to Huntington. In the same year Congress made small appropriations for sluice and wing dam improvement on the Great Kanawha, and two years later began appropriations for permanent lock and dam improvements which, after a quarter of a century, were completed to Montgomery above Charleston at a cost of over $4,000,000. In 1887 beacon lights were established on the Ohio, and soon thereafter on the Great Kanawha. By that time Congress had begun

the appropriations by which slack water improvements have been extended up the Monongahela to Fairmont. In the meantime new railway lines had been in progress of construction. In 1884 the Kanawha and Michigan (continuation of the Ohio Central) was opened from the Ohio River to Charleston. In 1885 a line, designed to connect the north-central part of the state with Pittsburg, was completed from Fairmont to Morgantown, from whence it was later extended to Connellsville, Pennsylvania, where it connected with a main line of the Baltimore and Ohio from Cumberland to Pittsburg. The Ohio River railway was completed from Wheeling to Parkersburg in 1885, to Point Pleasant in 1886, and to Huntington in 1888. Other lines were soon begun. In 1892 the Norfolk and Western was opened to the Ohio, and in 1893 the Charleston, Clendennin and Sutton was put in operation up the Elk River from Charleston to Sutton, from which a line has since been extended to Elkins. From 1896 to 1902, the most active period of railway construction in the state, sixteen roads or branches were built; and in 1904, railroads penetrated fifty-one of the fifty-five counties.

The rapid development of productive industries and of transportation facilities has been accompanied by great changes in every phase of life, industrial, social, political and educational. It has caused a phenomenal growth of many towns, and great improvement in the conditions of life.

Population and Material Wealth.

The character of the population has greatly changed since the War of Secession. The original settlers, whose ancestors were generally English or Scotch-Irish, or perhaps Pennsylvania German, were contented with a life of rural simplicity

and hospitality whose economy was usually mere subsistence. Their descendants usually lived amiably with their neighbors, maintained their urbanity and self-possession in the presence of strangers, and, beyond the efforts necessary to secure the necessaries of life, were usually disposed to leave the improvement of things to time and chance. Always possessing intellect and sagacity capable of high development under favorable conditions, they have gradually responded to the progressive spirit of enterprise and of the strenuous life which received its greatest impulse from immigration from other states and the increased opportunities for communication and intermingling of the people.

The population almost trebled in the forty years from 1860 to 1900. It increased from 376,688 in 1860 to 442,014 in 1870, to 618,457 in 1880, to 762,794 in 1890 and to 958,800 (499,242 males and 459,558 females) in 1900. The estimated population in 1908, based upon the ratio of increase for the decade from 1890 to 1900, is about 1,156,000. In 1869 and early in 1870 erroneous reports represented that the population and wealth of the state were decreasing. The census of 1870 showed that while there was a general increase of population of over 20 per cent. in the state, there was a slight decrease in a few counties. There was a decrease of 794 in Greenbrier, 752 in Hampshire and Hardy combined, 615 in Marion, 169 in Nicholas and 30 in Brooke. All the other counties showed an increase, and every county since 1870 has shown an increase for each decade. In the decade from 1890 to 1900, the counties in which the population increased most rapidly were McDowell (156.8 per cent.), Tucker (108 per cent.), Webster (85 per cent.), Clay (77 per cent.), Marion (56.5 per cent.), Fayette (55.7 per cent.), Tyler (52.6 per cent.), and Randolph (51.9 per cent.). The counties in which

the population increased most slowly were Jefferson (2.5 per cent.), Hampshire (3.4 per cent.), Berkeley (4.1 per cent.), Hancock (4.3 per cent.), Pendleton (5.2 per cent.), Monroe (5.6 per cent.), Mason (5.6 per cent.), Mineral (6.6 per cent.), Lewis (6.8 per cent.), and Grant (7 per cent.).

Of the population in 1900, the colored numbered 43,567 (including 56 Chinese and 12 Indians). The negroes were located principally in Berkeley, Cabell, Fayette, Greenbrier, Harrison, Jefferson, Kanawha, McDowell, Mineral, Ohio and Summers. Of the 247,970 males of voting age, only 14,786 were negroes. Of the illiterate voters 23,577 (11 per cent.) were white, and 5,583 (38 per cent.) were black. The foreign born numbered 22,451 (principally German, Irish, Italian, English and Scotch), located principally in Marion, Marshall, Ohio, Tucker and Wood counties. Excluding foreigners, the larger number of immigrants came from Virginia (61,508), Ohio (40,301), and Pennsylvania (28,927).

Since 1900 the immigration has greatly increased, especially in the mining and manufacturing regions of the northern and southern parts of the state. The rapidity of the growth of towns may be illustrated by the growth of Morgantown, whose population increased from less than 2,000 in 1900 to over 12,000 in 1908.

The census of 1900 showed a remarkable development of material wealth, which apparently has continued to increase each year thereafter. From 1870 to 1900 the value of farm property increased from $120,000,000 to nearly $204,000,000, and the value of farm products from $23,000,000 to nearly $45,000,000. For the same period the value of manufactured products increased from $24,000,000 to $74,000,000. The amount of capital invested in manufacturing, an industry which is still in its in-

fancy, increased from $28,113,000 in 1890 to nearly $55,720,000 in 1900. For the same period the value of manufactured products increased from $38,702,000 to over $74,000,000 (91.7 per cent.). From 1870 to 1900 the value of timber products increased from about $364,000 to over $10,000,000. The coal production increased from 1,568,000 tons in 1880 to 22,647,000 tons in 1900, and to 25,760,000 tons in 1903. The value of the products of coke manufacture, a rapidly developing industry, increased from $1,130,762 in 1890 to $3,529,241 in 1900 (an increase of over 212 per cent.). The value of oil produced in 1902 was $25,000,000, and of gas over $5,000,000. In 1903 the total taxable value of the 3,643 miles of steam railways (including 931 miles of siding) in the state was $26,527,999. In 1903 the total resources of the sixty-eight national banks located in the state were $37,623,000, and of the 148 state banks $53,481,750. The deposits were $23,349,827 and $38,908,768 respectively.

Education.

In 1863 West Virginia had no common school system, no normal schools and no university. Before 1863 the few schools which were maintained at public expense were primarily for indigent children. The people who had so long agitated the question of free schools for all, in 1863 inserted a clause in their constitution providing for their establishment, and promptly secured from their first legislature a free school law. In 1865 the state superintendent reported that there were 431 schools and 387 teachers in the state. In 1866 and 1867 provision was made for colored schools where the number of colored children was sufficient. The constitution provided that white and colored children should not be educated in the same schools.

The new school system encountered many obstacles. The law was opposed by many of the ultra-conservatives, who urged the people to disregard it and refused to coöperate with the authorities. In some thinly settled counties of the interior, and along the southern border, the people were not able to build school houses. In several counties the superintendents were too ignorant to examine the incompetent teachers. In order to supply the great need for trained teachers the legislature, in 1867, established normal schools at Huntington, at Fairmont and at West Liberty. Three additional normal schools were established, in 1872, at Shepherdstown, Athens and Glenville. By 1869 the school system was better organized; but as late as 1872 over half of the county superintendents failed to submit reports, and the state superintendent reported that in many districts there had been no schools for two years. In many instances progress was hindered by misuse of funds by the school boards, who voted themselves a liberal compensation for their services. The sheriff often postponed the payment of the salary of teachers until they were compelled to sell their orders at great sacrifice to the curbstone broker, often a confederate of the sheriff. In spite of laws to prevent, this abuse continued for more than a quarter of a century. Examinations in many counties continued to be conducted so loosely and so dishonestly that incompetent teachers found little difficulty in securing certificates until, finally, the widespread jobbery in teachers' certificates was almost terminated in 1903 by the adoption of the uniform examination system. Supervision of schools by the county superintendent in many counties remained a fraud and a farce for decades. An effort to secure more efficient supervision was made in 1901 by forbidding the county superintendent to

teach, and in 1907 by increasing the salary of the office.

Although progress was slow for so many years, it has been more rapid in recent years. High schools have increased in number and improved in character. The normal schools, whose work has been largely that of the high school, have begun to give more attention to the purpose for which they were founded. A state board of education, created by the revised school law of 1908, is empowered to prepare a course of study for the public schools of the state, and to unify and increase the efficiency of the school system by defining the relations of the different kinds of schools, and by securing better articulation of the school work.

West Virginia University, since its foundation in 1867, has exerted a gradually increasing influence in the development of the education and other activities of the state. For many years the growth of the new institution was very slow and uncertain. This retarded growth was due to many causes. Among these causes may be enumerated the partially local foundation, the sectional questions which had divided Virginia long before the war, the new sectional jealousies, the post-bellum political questions and partisanship, the lack of a satisfactory system of secondary schools, the divided responsibility and *laissez faire* policy, and the lack of means of communication with Morgantown, the seat of the institution. Gradually the power and importance of these causes were reduced by changing conditions. Industrial progress has been a prominent factor in the transformation of the earlier school into a real college or university. Women were admitted to the collegiate department in 1889 and to all departments in 1897.

The growth of the university has been greatly

aided by the development of better secondary schools. The normal schools have partially solved the problem of suitable preparatory schools. A preparatory school at Montgomery, opened January, 1897, was established by an act of Feb. 16, 1895. Another was established at Keyser by an act of 1901.

To supply the demand for state institutions where colored people could receive special or more advanced academic training, the colored institute at Farm (Kanawha county) was established in 1891, and the Bluefield colored institute (in Mercer county) was established in 1895.

Interstate Relations.

Between West Virginia and her neighbors, since 1863, there have arisen several interstate questions, two of the oldest and most prominent of which are still pending in the United States Supreme Court.

Among those of minor importance were: (1) the boundary question with Pennsylvania, which was settled by a joint boundary commission in 1885-86; (2) the trouble along the Big Sandy boundary between West Virginia and Kentucky, resulting from the Hatfield-McCoy feuds which, after periodically disturbing the peace for several years, were terminated by the wise action of Governor Fleming in withdrawing the rewards which had been offered by West Virginia for the arrest of some of the McCoys; and (3), the question of transferring from Virginia to West Virginia the records of original grants of land in West Virginia—a question which was satisfactorily settled by negotiations of Governor Fleming.

More important was the contest between Virginia and West Virginia for jurisdiction over Jefferson and Berkeley counties, settled by the United States

Supreme Court in 1871, and the Maryland boundary and the Virginia debt questions still pending.

The boundary question with Maryland was an old one in regard to the meaning of the "first fountain of the Potomac," which, in Lord Baltimore's charter, was mentioned as the southern point of the boundary between Maryland and Virginia, and which had been marked by the Fairfax stone at the head of the North Branch in accordance with the decision of the king in council in 1745, after a careful survey by a boundary commission. The North Branch had practically been accepted as the boundary several years before the Revolution, and again in 1785, and even later when Maryland claimed that her western boundary should be located about a mile west of the Fairfax stone. Though in 1852 Maryland finally accepted the Fairfax stone as the southern point of her western boundary, in 1859 she secured a new survey of the meridian line northward, which terminated at the Pennsylvania boundary about three-fourths of a mile west of the old line (which had been surveyed in 1788), thus laying the basis of the later controversy with West Virginia in regard to conflicting land claims and jurisdiction in the triangular strip between the two lines —some of which culminated in personal encounters and breaches of the peace, which each state treated as a crime within its jurisdiction and attempted to punish. Though West Virginia, wearied with the resulting "border war," in 1887 was willing to yield her claim to jurisdiction, Maryland ignored the terms of the proposition and three years later authorized a boundary suit before the Supreme Court, into which the attorney-general of Maryland injected the old claim to the South Branch as the farthest source of the Potomac—a claim which, if sustained, would extend the southwest corner of

Maryland southward to the southern border of Pendleton county, thus completely dividing West Virginia into two non-contiguous parts. Governor Fleming, with the sanction of the legislature, employed counsel to defend the interests of the state against the claims of Maryland for territory which had been embraced within the limits of Virginia since 1863, and which had been in the undisturbed and exclusive possession of West Virginia, and under her jurisdiction and control since 1863. After the suit was brought, Maryland proposed arbitration, but West Virginia has preferred to leave the settlement to the court.

The Virginia debt question arose with the formation of West Virginia, and has been a prominent factor or issue in state politics at various times. At the time of the separation, it was agreed that the new state would assume a just proportion of the public debt of Virginia prior to 1861, "to be ascertained by charging to it all the expenditures within the limits thereof and a just proportion of the ordinary expenses of the state government, since any part of said debt was contracted, and deducting therefrom all moneys paid into the treasury of the commonwealth from the counties included within the said new state, during the same period."

In 1866 Virginia appointed commissioners who, in case of failure to secure reunion of West Virginia to Virginia, were authorized to negotiate for the adjustment of the public debt and a fair division of the public property. The West Virginia legislature, expressing a willingness for a prompt and equitable settlement, authorized the governor to appoint three commissioners to consider the adjustment of the debt question *after* the announcement of the decision of the Supreme Court in the case brought by Virginia for the recovery of Berkeley

and Jefferson counties. In February, 1870, Virginia appointed a commission which went to Wheeling and induced the West Virginia legislature to appoint a similar commission to treat for the purpose of adjusting the question. The West Virginia commission, without any appropriation for expenses, failed to act; and, a year later when an appropriation was made by the succeeding legislature of 1871, Virginia, having changed her policy on the mode of adjustment, proposed arbitration by commissioners who should not be citizens of either state—a proposal which West Virginia declined.

The West Virginia commission, acting alone, went to Richmond, examined such documents as were accessible, and reported that of the $31,778,867.62, which had been spent on internal improvements, $2,784,329.29 had been spent in West Virginia. To the latter was added an additional $559,600 from other sources, and from the sum was subtracted a credit of $2,390,369.06, exclusive of taxes paid to the Virginia government, leaving a remainder of $953,-360.23 in favor of Virginia. On the ground that the commission had been unable to secure complete data, and for other reasons, the legislature did not accept the conclusions.

In 1873 the subject was considered by the finance committee of the Senate. On December 22 the chairman, J. M. Bennett, who had been auditor of Virginia for eight years, submitted a report showing that from 1822 to 1861 the state expenditures in counties in West Virginia was $3,366,929.29, that the counties of West Virginia had paid into the treasury of Virginia at least $3,892,000, besides an equitable portion of the ordinary expenses of the government, and that after subtracting from this sum the amount expended for internal improvements in West Virginia there was a remainder of

over $525,000 in favor of West Virginia. This view was adopted by the people of West Virginia, who, believing that they owed no debt, urged the basis of settlement which was persistently refused by Virginia.

In the meantime, in 1871, Virginia passed a funding bill, giving in exchange for the old bonds, new bonds for two-thirds the amount surrendered and certificates for the remaining third. These certificates identified the holders of the unfunded part of the debt, and were to be paid only as should be provided in accordance with the future settlement between Virginia and West Virginia. Thus Virginia became liable for these certificates as soon as she settled with West Virginia. In the later certificates of 1879, 1882 and 1892, however, there was a clause releasing Virginia from all liability. These Virginia certificates, thrown on the market under the misleading name of "West Virginia certificates," greatly injured the financial standing of West Virginia and prevented immigration and investment of capital at a time when they were much needed.

In March, 1894, after Virginia had compromised and settled with her creditors and had been released from all liability, the legislature of Virginia adopted a resolution providing for the appointment of a commission of seven members to negotiate with West Virginia for the payment of the certificates, and on the basis that Virginia was bound for only two-thirds of the old debt. In 1895 and in 1896, when the negotiations were proposed, West Virginia refused to accept the condition that Virginia should be held liable for only two-thirds of the old debt. Again in 1900, Virginia, as trustee of the certificate holders, tried to secure an adjustment, but again on conditions which West Virginia could not accept. She then instituted a suit to secure an

accounting and settlement under the supervision and direction of the United States Supreme Court. On various grounds, including lack of authority of the attorney-general to bring the suit, the plaintiff's action as trustee for private individuals, lack of jurisdiction by the court, and lack of power to render or enforce any final judgment or decree in the case, the attorneys for West Virginia entered a demurrer which the court, in March, 1907, through chief justice Fuller, overruled "without prejudice to any question." The court appointed a master of accounts under whom the representatives of both parties to the suit are collecting data for presentation to the court in October, 1908. This data was not ready to be submitted to the court when it convened.

BIBLIOGRAPHY.—Acts of the West Virginia Legislature; Ambler: *Disfranchisement in West Virginia* (in *Yale Review* of May and August, 1905); Callahan: *West Virginia, in University Studies in West Virginia History;* Census Reports (1860–1900); Fast and Maxwell: *History and Government of West Virginia* (1901). (Bibliography on pp. 496–503); Governors' *Messages* and Public Documents of West Virginia (1863–1907); Hagans: *Formation of West Virginia* (West Virginia Supreme Court Reports, Vol. I.); Journals of the House and Senate of West Virginia (1863–1907); Journal of the Constitutional Convention of 1863; Journal of the Constitutional Convention of 1872; Lewis: *History and Government of West Virginia* (1896), *History of West Virginia* (1889), *Handbook of West Virginia* (1904); Maxwell: *Histories of Tucker, Randolph, and Hampshire Counties* (1884–97); Reports of West Virginia Geological Survey; Willey: *Formation of West Virginia* (1901); Wheeling *Daily Intelligencer.* A full bibliography of the various state publications of West Virginia has been compiled for publication under the editorial direction of R. R. Bowker of the *Publishers' Weekly,* New York.

J. M. CALLAHAN,

Professor of History and Political Science, West Virginia University.

THE HISTORY OF NORTH CAROLINA.

Chapter I.

NORTH CAROLINA AS A PROPRIETARY.

Settlers from Virginia.

A GLANCE at the map will show why North Carolina received its first permanent settlers from Virginia. The dangerous character of the coast of North Carolina made the approach too difficult and uncertain to admit of colonization directly from Europe. This became apparent from Sir Walter Raleigh's efforts to plant a colony on Roanoke Island, and Raleigh himself directed John White, in 1587, to seek a site on Chesapeake Bay. His commands, through no fault of White's, were not obeyed, and the colony failed. Twenty-two years later the London Company, guided by Raleigh's experience, directed the Jamestown colony towards the Chesapeake. The first settlers, for obvious reasons, sought lands lying along navigable streams, consequently the water courses, to a large extent, determined the direction of the colony's growth. Many of the streams of southeastern Virginia flow toward Currituck and Albemarle sounds in North Carolina, and the sources of the most important rivers of eastern North Carolina are in Virginia. Furthermore, the soil, the climate, the vegetation and the animal life of the Albemarle region are of the same character as those of southeastern Virginia. Nothing, therefore, was

more natural than that the planters of Virginia, searching for good bottom lands, should gradually extend their plantations southward along the shores of Albemarle Sound and the rivers that flow into it.

The Virginians early manifested a lively interest in the Albemarle region. Nansemond county, adjoining North Carolina, was settled as early as 1609, and during the following years many an adventurous hunter, trader and explorer made himself familiar with the waters that pour into Albemarle and Currituck sounds. In 1622 John Pory, secretary of Virginia, after a trip to the Chowan reported that he found it "a very fruitful and pleasant country, yielding two harvests in a year." Seven years later Charles I. granted the region to Sir Robert Heath, and there are reasons for believing that Heath's assigns made an unsuccessful attempt to plant a settlement within the grant. About the year 1646 the governor of Virginia sent two expeditions, one by water, the other overland, against the Indians along the Albemarle and Currituck sounds, and members of these expeditions purchased lands from the Indians. During the next few years other expeditions were made. Roger Green, a clergyman of Nansemond county, became interested in the country to the southward, and in 1653 obtained a grant of 10,000 acres for the first 100 persons who should settle on Roanoke River, south of Chowan, and 1,000 acres for himself "as a reward for his own first discovery and for his encouragement of the settlement." It is not known whether he followed this grant with a settlement, but historians have assumed that he did. The next year Governor Yeardley, of Virginia, sent an expedition to Roanoke Island which led to other explorations into what is now eastern North Carolina, and two years later the

ALBEMARLE SOUND. NORTH CAROLINA.

Assembly of Virginia commissioned Thomas Dew and Thomas Francis to explore the coast between Cape Hatteras and Cape Fear. The sons of Governor Yeardley, therefore, had good grounds for their boast that the northern country of Carolina had been explored by "Virginians born."

These expeditions were naturally followed by a southward movement of settlers. Just when this movement began cannot be stated with accuracy. There may have been settlers in Albemarle before 1653. It may be true that Roger Green did lead the first colony there in that year. Certainly before the year 1663 John Battle, Thomas Relfe, Roger Williams, Thomas Jarvis and perhaps others had purchased lands from the Indians who dwelt along the waters of Albemarle Sound and settled them. The grant to George Durant by Kilcocanen, chief of the Yeopim Indians, dated March 1, 1661 [1662], for a tract lying along Perquimans River and Albemarle Sound, is the oldest grant for land in North Carolina now extant. But Durant came into that region two years before he made his purchase, and there were purchases prior to his, for his grant recites a previous one made to Samuel Pricklove and is witnessed by two Englishmen. Besides, in 1662, purchases from the Indians had become so common that the government ordered them to be disregarded and required that patents be taken out for these lands under the laws of Virginia. Three years later the surveyor of Albemarle declared that a county "forty miles square will not comprehend the inhabitants there already settled." These settlers, for the most part, came from Virginia; but others came also, and at the close of the first decade of its history the Albemarle colony contained 1,400 inhabitants between sixteen and sixty years of age, and the set-

tlements extended from Chowan River to Currituck Sound.*

Growth of Settlements.

From Albemarle the population moved slowly southward. The stages of its progress may be marked by the four principal river systems of eastern Carolina—the Roanoke, the Pamlico [Tar], the Neuse and the Cape Fear. The impatience of the Lords Proprietors for the extension of the settlements to the southward outstripped the movement of population. They blamed the colonists for not making greater progress, and assigned this delay as one reason why they themselves took more interest in the colony on the Ashley River than in the one on Albemarle Sound. However, in 1676, they learned that the fault was not with the people but with their rulers, who "had engrossed the Indian trade to themselves and feared that it would be intercepted by those who should plant farther among them." The colonial officials accordingly had prevented settlements to the southward, but now the Lords Proprietors issued peremptory orders commanding the governor to encourage the opening of that section, and settlers began to push their way into it. No record of their progress is found until they reached Pamlico River, where, in 1691, a small party of French Huguenots from Virginia had planted a settlement. A few years later a pestilence among the Indians opened the way for other settlers, who continued to drift southward from Albemarle. By 1696 the settlement was considered of sufficient import-

*In 1660 a party of New Englanders attempted without success to plant a settlement on the Cape Fear. Four years later a party of royalist refugees to the island of Barbadoes established a colony near the mouth of that river. In 1665 they were joined by another party from Barbadoes under the leadership of Sir John Yeamans, who had been appointed governor. The settlement extending several miles up and down the river was erected into a county called Clarendon, and at one time numbered 800 souls. Yeamans, however, soon returned to Barbadoes. The Lords Proprietors took but little interest in the colony, but directed their energies towards building up a rival settlement farther southward. The Clarendon colony, after many hardships and much suffering, was abandoned in 1667. It is of interest merely as an historical fact.

ance to be erected into a county called Archdale, afterwards Bath, extending from the Albemarle to the Neuse, and to be allowed two representatives in the General Assembly. In 1704 a site for a town was selected, and the next year the town was incorporated under the name of Bath. At the close of its first five years Bath could boast of a library and a dozen houses. Though at times the home of wealth and culture, Bath never became more than a sleepy little village. It derives its chief distinction from the unimportant fact that it was the first town in the province. The settlers on the Pamlico, however, prospered, and their good reports induced others to join them. In December, 1705, the Council, "taking into their serious consideration" the fact that Bath county had "grown populous and [was] daily increasing," divided it into three precincts, with the right to send two representatives each to the Assembly. Two years later another body of Huguenots from Virginia, "considerable in numbers," passed the Pamlico and occupied lands on the Neuse and Trent rivers.

In 1710 came a colony of German Palatines. Driven from their native land on account of their religion, they had sought refuge in England, where they were warmly welcomed by the Queen. They came, however, in such numbers that good Queen Anne found them a burden on her hands, and welcomed an opportunity to provide for some of them in America. This opportunity came through Christopher De Graffenried, a native of the city of Bern, who was in London with a countryman, Louis Mitchell, planning to settle a colony of Swiss in North Carolina. De Graffenried's interest in Carolina had been excited some years before by the Duke of Albemarle, who had discoursed to him on "the beauty, goodness and riches of English America,"

so that he determined to seek "a more considerable fortune in those far-off countries." He was encouraged in his purpose by the Lords Proprietors, who granted him "very favorable conditions and privileges." The Queen, too, contributed £4,000 sterling to his enterprise in consideration of his settling 100 families of the Palatines in Carolina.

The Palatines sailed in January, 1710, but without De Graffenried, who waited in England for his colony from Bern. During a terrible voyage of thirteen weeks, more than half of the colonists died at sea. The others, after many hardships and cruel suffering, finally arrived in Carolina and were settled on a tongue of land between the Neuse and Trent rivers. De Graffenried followed in June, arriving in Carolina in September. He found the Palatines in a wretched condition, "sickness, want and desperation having reached their climax." They had come at an unfortunate time, and De Graffenried's utmost exertions could do but little to relieve their situation. The province was in the midst of Cary's rebellion, and this trouble was scarcely settled before the most disastrous Indian war in the history of North Carolina broke out. The Palatines and Swiss suffered terribly; their homes were burned, their crops destroyed, and many of their number slaughtered. The settlement, however, survived these disasters and, although De Graffenried returned to Europe broken in fortune, the settlers went to work with a will, cleared away the ashes, rebuilt their cabins, founded the town of New Bern, and started on a prosperous career.

Cape Fear Region.

After the failure of Yeamans' colony in 1667, the Cape Fear region had fallen into disrepute, and more than half a century passed before another at-

tempt was made to plant a settlement there. Four causes contributing to this delay were: the character of the coast at the mouth of the river; the hostility of the Indians; the pirates who sought refuge there in large numbers, and the closing of the Carolina land office by the Lords Proprietors. The character of the coast, of course, could not be changed, and in spite of all that modern science can do still remains an obstacle to the development of a splendid country. The blow that upset the power of the Cape Fear Indians was struck by Col. Maurice Moore in 1715, and three years later the pirates were driven out. But the orders of the Lords Proprietors still remained. Enterprising men, however, familiar with the advantages of the region refused to recognize the moral right of the Proprietors to prevent their clearing and settling it in the name of civilization, and about the year 1723 they began to lay out their claims, clear their fields and build their cabins without regard to the formalities of law. When Governor Burrington saw that they were determined to take up lands without either acquiring titles or paying rents, he decided that the interests of the Proprietors would be served by his giving the one and receiving the other. He therefore, upon petition from the Assembly, ordered the Carolina land office to be reopened. Good titles thus assured, settlers were not wanting. Governor Burrington, Maurice Moore and his brother, Roger Moore, led the way, followed by the Moseleys, the Howes, the Porters, the Lillingtons, the Ashes, the Harnetts, and others whose names are closely identified with the history of North Carolina. Here on the Cape Fear they were joined by numerous other families from the Albemarle, from South Carolina, from Barbadoes, and other islands of the West Indies, from New England, Pennsylvania, Maryland and from Eu-

rope. On the west bank of the Cape Fear Maurice Moore laid off a town, and gave sites for a graveyard, a church, a court-house, a market-house, and other public buildings, and a commons "for the use of the inhabitants of the town." With an eye to royal favors, he named the place Brunswick in honor of the reigning family.

But Brunswick, like Bath, did not flourish, and in the course of a few years yielded with no good grace to a younger and more vigorous rival, sixteen miles farther up the river, which was named in honor of Spencer Compton, Earl of Wilmington. The settlement prospered, and at the close of its first decade Governor Johnston declared that its inhabitants were "a sober and industrious set of people," that they had made "an amazing progress in their improvement," and that the Cape Fear had become the "place of the greatest trade in the whole province."

Settlements extended no further during the proprietary period. In 1728, when the interests of the Proprietors passed to the Crown, the population of North Carolina numbered 30,000, and extended along the coast from the Virginia line to the Cape Fear.

The Proprietary.

The name "Carolana" or "Carolina" was applied to this territory by Charles I. in his grant to Sir Robert Heath in 1629, and was retained by Charles II. in his grant to the Lords Proprietors thirty-four years later. The latter grant, issued March 24, 1663, was made to Edward Hyde, Earl of Clarendon, High Chancellor of England; George Monk, Duke of Albemarle, Master of the King's Horse and Captain-General of all his forces; William, Lord Craven; John, Lord Berkely; Anthony Cooper, Lord Ashley, Chancellor of the Exchequer,

afterwards Earl of Shaftesbury; Sir George Carteret, Vice-Chamberlain of the King's Household; Sir William Berkely, Governor of Virginia, and Sir John Colleton. The names of these grantees are still to be found on the map of the Carolinas. In North Carolina are Albemarle Sound, Craven and Carteret counties; in South Carolina, Clarendon and Colleton counties, Berkely Parish, and the Ashley and Cooper rivers, while in Charleston we have the name of the King. The object of the grantees was to plant colonies in America; the motives were declared to be "a laudable and pious zeal for the propagation of the Christian faith" and the enlargement of the King's empire and dominions. The grant included all the territory lying between 31° and 36° N. Lat., westward from the Atlantic Ocean to the "South Seas." Afterwards when it was ascertained that these boundaries did not include the settlements already planted on the Albemarle, a second charter was issued, June 30, 1665, extending the limits 30 minutes northward and two degrees southward. This region was erected into the "Province of Carolina," over which the grantees were constituted "the true and absolute Lords Proprietors."

Government.

The Lords Proprietors derived from their charters ample powers of government, but the uncertainty with which they exercised these powers resulted in weakness and confusion. Plan after plan was promulgated and declared to be permanent, only to be soon cast aside for some new scheme. The instructions of 1663 to Sir William Berkely outlining a plan of government for Albemarle county gave way two years later to a more elaborate constitution called the Concessions of 1665. The Concessions in their turn were supplanted in 1670 by the Funda-

mental Constitutions of John Locke; but accompanying the command to put these into operation came instructions modifying their provisions. The Lords Proprietors continued this sort of tinkering with their constitution for some years, so that, as Dr. Bassett says: "For the first fifty years of the life of the colony the inhabitants could not be sure that their government was stable."

The constitution of the proprietary period presents a theoretical as well as a practical side. The former found expression in the Fundamental Constitutions. Adopted and signed by the Proprietors, July 21, 1669, and declared to be unalterable and perpetual, the Fundamental Constitutions speedily ran through five distinct editions and were shortly abandoned altogether. They outlined an elaborate and complicated scheme of government designed to secure the interests of the Lords Proprietors, to "prevent the growth of a numerous democracy," and to establish a government in harmony with monarchy.* Realizing the impossibility of putting this scheme into full operation, the Lords Proprietors contented themselves with instructing the governors "to come as nigh it" as they could.

The practical side of the constitution was the plan of government actually established. The executive was composed of a governor and a council. The Lords Proprietors appointed the governor until 1691. Then they united the northern and southern provinces under one governor, whom they authorized to appoint a deputy in the former. In 1710 they decided to separate the two provinces and appoint a governor of North Carolina "independent

*The Fundamental Constitutions have been analyzed so often that, with the brief space at command, it has not been deemed advisable to do so here. Consult Bassett's *Constitutional Beginnings of North Carolina*, in *Johns Hopkins University Studies*, XII.; also Davis's *Locke's Fundamental Constitutions, North Carolina Booklet* VII., No. 1. In this analysis Bassett's *Constitutional Beginnings* has been followed, his citations being carefully verified.

of the governor of South Carolina," but this plan was not carried into effect until 1712. The council at first consisted of not less than six nor more than twelve members appointed by the governor. In 1670 its composition was changed to consist of five deputies selected by the Proprietors, and five members chosen by the Assembly. Another change was effected in 1691 when the governor was instructed that the deputies alone were to compose the council. This arrangement was continued until 1718, when the Proprietors decided to abolish the deputies and to select a council of not more than twelve; but this plan was not made effective until 1724. In the event of the death or absence of the governor, the council chose a president to administer the affairs of the government until the vacancy could be filled. The powers and duties of the governor and council were ample for all executive purposes, but it is impracticable to enumerate them here.

Before 1691 the Assembly was unicameral; after that date bicameral. During the first period it was composed of the governor, council and representatives elected by the people; during the second period the council and the representatives separated into an upper and a lower house. Under the Concessions of 1665 the people were authorized to elect twelve representatives, but this number was increased to twenty in 1670, when Albemarle county was divided into four precincts and five members were allotted to each. Other precincts were created as the population increased, until the number of representatives during the proprietary period reached twenty-eight. The regular sessions of the Assembly were biennial, but the governor and council could convene, prorogue or dissolve sessions at will. The lower house elected its own officers, decided contests involving the election of its members, and had the right to

expel members. The Lords Proprietors exercised the right of veto on the Assembly's measures, but all bills levying a tax or carrying an appropriation had to originate in the lower house. Through a process of gradual evolution the Assembly, from a position of weakness, came to be the chief factor in the government, and the lower house acquired such ascendancy as to become practically the entire Assembly.

The judicial system embraced the general court, the precinct courts, a court of chancery, an admiralty court, and in some instances the council. The first was an appellate court held for many years by the governor and deputies. In 1691 the Proprietors directed the governor to appoint a "chief judge" and four justices to hold this court, though several years elapsed before this was done. In 1713 a chief justice was appointed with a commission issuing directly from the Lords Proprietors. He presided over the court which thereafter was composed of a variable number of associates. The court met three times a year, sitting both as a court of the King's Bench, Common Pleas and Exchequer, and as a court of Oyer and Terminer and General Gaol Delivery. From its decisions in cases involving £500 or over, an appeal lay to the King. The precinct courts were held by justices appointed by the governor and council. They had jurisdiction over civil suits involving less than £50, and also exercised such non-judicial duties as caring for public highways, creating road districts, appointing constables, granting franchises for mill sites, and other similar functions. The court of chancery was held by the governor and council. The council also probated wills, received and examined accounts of executors, divided land, and tried public officials for misconduct in office. The admiralty court had jurisdiction

over cases involving violations of the navigation acts.

In the fall of 1663 the Lords Proprietors instructed Sir William Berkely to appoint a governor and six councillors for Albemarle county. The governor and council were authorized to appoint all other officers, and together with representatives elected by the people, or perhaps with the whole body of people in general meeting, to constitute a Grand Assembly. William Drummond became the first governor. History has assigned to him a character which subsequent governors might have imitated with profit. During his administration the first Assembly held in North Carolina met, probably in the spring of 1665. One of its earliest acts was to petition the Lords Proprietors that lands in Albemarle, then held at a rent of a half-penny per acre payable in specie, might be held, as in Virginia, at one farthing per acre payable in commodities. After a delay of three years the Proprietors granted the prayer, issuing what is known as the Great Deed of Grant. Efforts were afterwards made to revoke the Great Deed, but the Assembly, regarding it as a document of the first importance, clung to it tenaciously, and sixty-three years after its date ordered its text spread on the journal and the original placed in the special custody of the speaker.

Character of the Governors.

The Proprietors were not always fortunate in their selection of governors for Carolina. Some were weak, some bad men, and but few cared anything for the people whom they were sent to rule. In fact the system itself was ill-calculated to produce harmony and good-will between the governors and the people. They were not the people's governors; they were the Proprietors' vicegerents, and

their first duty was to care for the interests of their masters, rather than for the welfare of the people. The result of course was continual clashings between the people and their governors. Jenkins, Miller, Eastchurch, Sothel, Cary and Glover were each in turn either driven out or kept out of the governorship by a dominant faction of the people. Indeed, in 1711 Governor Spotswood, of Virginia, declared that the people of North Carolina were so used to turning out their governors that they had come to think they had a right to do so.

The People.

Historians have condemned these early Carolinians as a lawless and contentious people, but those who pronounce this judgment little understand the spirit that prompted them. When governed according to the terms of its charter, no colony on the continent was more orderly or more law-abiding; on the other hand, no people were ever more jealous of their constitutional rights or quicker to resent the encroachments of power. What if their resentments did sometimes run them into excesses; shall we not pardon something to the spirit of liberty? Their charters guaranteed to them "all liberties, franchises and privileges" possessed and enjoyed by their fellow subjects in the realm of England. Adherence to these charters and resistance to their perversion were cardinal principles with North Carolinians throughout their colonial history, and their records of that period are full of assertions of the principles upon which the American Revolution was fought. As early as 1678, "when a few families were struggling into a consciousness of statehood along the wide waters of our eastern sounds," they declared that "the doctrine of non-resistance against arbitrary power and oppression is absurd,

slavish and destructive to the good and happiness of mankind." In 1716, when the colony was but fifty years old and the population, all told, was less than 10,000 souls, the Assembly entered on its journal the declaration "that the impressing of the inhabitants, or their property, under pretense of its being for the public service, without authority from the Assembly, was unwarrantable and a great infringement upon the liberty of the subject." Governor Burrington, who spoke with the authority of ten years of residence among them, wrote that the early Carolinians were "subtle and crafty to admiration," adding: "The people are neither to be cajoled or outwitted; whenever a governor attempts to effect anything by these means, he will lose his labor and show his ignorance. * * * They insist that no public money can or ought to be paid but by a claim given to and allowed by the house of burgesses." And John Urmstone, a missionary among them, declared that the people respected no authority that did not emanate from themselves. In a word, as Dr. Alderman, in his *Life of William Hooper,* has said: "The key to North Carolina character in this inchoate period is the subordination of everything—material prosperity, personal ease, financial development—to the remorseless assertion of the sacredness of chartered rights," against the encroachments of the proprietary government.

Rebellions.

During this period occurred two popular uprisings serious enough to be dignified in history as rebellions. The first, known as Culpepper's Rebellion, was occasioned by England's commercial policy. Other causes accentuated the difficulties, but the primary cause was the Navigation Act—"that mischievous statute with which the mother country was

rapidly weaning the affections of its colonies all along the American seaboard." Designed at first to secure the foreign trade of the colonies for British merchants, the act was extended in 1672 to cover intercolonial commerce also. Duties were levied on certain enumerated articles exported from one colony to another which, if strictly enforced, would seriously cripple if they did not destroy the trade of Albemarle with New England. This was Albemarle's principal trade; the act, therefore, together with some other grievances, created so much discontent that Governor Carteret, finding himself powerless to preserve order, resigned the government and sailed for England, leaving the colony "in ill-order and in worse hands." The Lords Proprietors appointed Thomas Eastchurch to succeed him, and at the same time they procured the appointment of Thomas Miller as collector of the customs. Both were colonists and both were at that time in London. Eastchurch had been speaker of the Assembly, and Miller was the bearer of an important document from the Assembly to the Lords Proprietors. The latter naturally thought these appointments would please the people of Albemarle. Perhaps they would have pleased them had the Proprietors not sent the bitter with the sweet; they instructed Eastchurch and Miller to enforce strictly the Navigation Act.

Eastchurch sailed for his colony by way of the West Indies. There, on the island of Nevis, he became enamored of a lady and, stopping to pay his court, deputized Miller to proceed to Albemarle and act as governor until his arrival. Miller was received quietly, but his honors seemed to have turned his head. Not only did he arouse opposition by his vigor in enforcing the Navigation Act, but in other respects his conduct was so outrageous that it

aroused the indignation of sensible, law-abiding people. A leader and an overt act were alone needed to produce an explosion. Both came soon enough. In December, 1677, the *Carolina,* a heavily armed schooner commanded by Capt. Zachary Gillam, a well-known and popular Yankee skipper, arrived in the Pasquotank River from London. When Gillam came ashore Miller arrested him, arbitrarily it appears, for alleged violations of the Navigation Act. Then learning that George Durant, a wealthy and popular planter of Perquimans county against whom he had grievance, was on board, Miller rushed on board, presented cocked pistols at Durant's breast, and attempted to arrest him on an absurd charge of treason. Here was the overt act; the leader quickly appeared in the person of John Culpepper, Surveyor-General. Followed by an armed mob, Culpepper arrested Miller and other officials, threw them into prison and seized the government. When Eastchurch appeared and demanded the government his demands were disputed by the Culpepper party, and Eastchurch appealed to Virginia for aid. It was promised, but he died before assistance could be given. The rebels in the meantime had convened an Assembly, elected officers, and for two years administered public affairs "by their own authority and according to their own model." They denied the authority neither of the Proprietors nor of the King, and did not regard their conduct as rebellion. In this light, too, the Lords Proprietors appear to have viewed it, for when Culpepper went to London to explain the situation in Albemarle, they not only declined to punish him, but when he was arrested on a charge of treason, Shaftesbury successfully defended him on the ground that at the time of the insurrection Miller was not governor, and there was no legal government in Albemarle.

The next experience of this kind which the people of Albemarle had with a governor was with one of the Lords Proprietors. The Earl of Clarendon had sold his share of Carolina to Seth Sothel, and Sothel was sent to Albemarle with the expectation that the presence of a Lord Proprietor would awe the people into order. But, as John Urmstone observed, in Albemarle a Lord Proprietor was "no more regarded than a ballad-singer." He might have added, too, that some of them were less worthy of respect than ballad-singers. Sothel "proved himself to be one of the dirtiest knaves that ever held office in America." His misrule quickly drove the people into revolt. Accusing him of drunkenness, robbery and tyranny, they arrested him, tried and convicted him, and drove him from the province, declaring him incapable of holding office in Albemarle forever.

Church of England Established.

The banishment of Sothel was followed by a period of comparative peace and order during which the colony grew and prospered. During this period Philip Ludwell and John Archdale, the best governors sent to Carolina by the Lords Proprietors, administered the affairs of the colony, at times in person, but generally through deputies. Under Ludwell, in 1691, the Lords Proprietors united the office of governor of the two Carolinas. Archdale, like Sothel, was a Lord Proprietor, but was like him in nothing else. A Quaker, he was especially acceptable to the Quakers of Albemarle, who, since the visits of Edmundson and Fox in 1672, had grown strong in the colony. Under the encouragement of Archdale they became the most influential religious body in North Carolina. The Church of England, on the contrary, was weak; yet, in 1701, Gov. Hen-

derson Walker induced the Assembly to pass an act establishing the Church of England as the state church, and providing for its support by taxation. The act at once aroused opposition, but it was quieted two years later when the Lords Proprietors disapproved the act because of its inadequacy.

But the attempt to establish a church caused an unfortunate division in the colony that was to lead to trouble for many years to come. Heretofore the religious scruples of the Quakers against taking oaths had been observed and their affirmation accepted. But the recent act of Parliament prescribing the oath of allegiance to Queen Anne made no such exception in their favor, and Gov. Robert Daniel, who was appointed in 1704, insisted that Quakers must take the oath before entering upon any official duties or sitting as members of the Assembly. The Quakers refused, and demanded that the custom of the province be followed. Their seats were accordingly refused them, and the Assembly thus reduced in membership immediately passed an act establishing the Church of England in the colony, and an act requiring such an oath of office as no Quaker could take. Thereupon the Quakers threw their influence against Daniel and secured his removal. Thomas Cary succeeded him, but Cary disappointed the Quakers, for he insisted on following the requirements of the law, and even went further than Daniel had gone. The Quakers then sent John Porter to London to appeal directly to the Lords Proprietors. Porter returned in 1707 with an order recognizing the affirmation of Quakers in place of the oath, removing Cary, appointing new deputies and authorizing the council to elect a president to act as governor. When Porter arrived Cary was absent and William Glover was acting as governor as president of the council. This arrange-

ment appeared satisfactory to all factions, and Porter and the Quakers acquiesced in it. But when the new appointees offered to qualify as councillors, Glover would not admit them until they had taken the prescribed oath. Porter and his party thereupon formed an alliance with Cary, who had returned, against Glover. But Glover refused to yield and the colony was brought to the verge of civil war.

However, better counsels prevailed and an agreement was reached to submit the rival claims to an Assembly. But new complications then arose. Both Glover and Cary issued writs for the election of representatives, and when the Assembly met in October, 1708, there were two rival sets of delegates. Glover refused to recognize the legality of any action taken by delegates who would not subscribe the oaths which had brought on the trouble, but the Cary faction was in control and brushing aside Glover's claims decided everything in Cary's favor. Glover, still claiming to be the lawful governor, withdrew into Virginia, leaving Cary in possession of the government and the colony in confusion. This condition continued for nearly two years, when the Lords Proprietors again took a hand. They selected Edward Hyde, a relative of the Queen, as deputy-governor of North Carolina. Hyde arrived in Virginia in August, 1710. He expected to receive his commission from Governor Tynte at Charleston, but just before his arrival Governor Tynte died, and without his commission Hyde was powerless to enforce his authority in Albemarle. Both factions, however, were tired of strife and both joined in an invitation to Hyde to assume the government as president of the council. Hyde accepted, but displayed a lack of tact in dealing with the situation, and again the colony was thrown into disorder. Cary withdrew his adherence, took up arms and

defied the government. His party held Hyde's forces at bay until Governor Spotswood, of Virginia, came to the latter's assistance. Cary was then defeated, captured and sent to England to be tried for treason. However, he was never tried, probably for the lack of evidence. His defeat put an end to the rebellion in Carolina.

North Carolina and South Carolina Separate.

In 1710 the Lords Proprietors decided to appoint Edward Hyde governor of North Carolina "independent of the governor of South Carolina," but his commission was not issued until January 24, 1712. He opened it and qualified before the council May 9. Henceforth the careers of the two provinces were separate.

Trouble with Indians.

Worse days were yet in store for North Carolina. As the white man pushed his settlements towards the southward, he necessarily drove the red man before him and seized upon his hunting ground. Powerless to stay the white man's march the Indian retreated in sullen anger, ever on the lookout for a chance to strike a blow at his advancing foe. The dissensions occasioned by Cary's Rebellion seemed to one watchful chief of the Tuscaroras, whom the white man called Hancock, to offer the desired chance and he determined to seize it. Instigated by him 500 warriors assembled at his principal town on Contentnea Creek, near the present village of Snow Hill, and appointed September 22, 1711, the time for a wholesale massacre. Everything was arranged with such profound secrecy that the white settlers continued to receive the Indians into their cabins without suspicion almost to the very morning of the outbreak, and slept peacefully through the preceding night. The war-whoops of the savages,

arousing them from sleep at daybreak, gave them their first intimation of danger. Painted warriors poured out of the woods on all sides. Within two hours they butchered 130 settlers on the Pamlico and eighty on the Neuse. Men, women and children, as usual, fell indiscriminately beneath their bloody tomahawks. The dead lay unburied in the hot September sun, food for vultures and wolves. For three days the awful work went on with every circumstance of horror and outrage. Those who escaped fled to Bath and other places of refuge, leaving the whole southern frontier along the Pamlico and the Neuse a scene of blood and ashes and desolation.

Fortunately, Tom Blunt, a powerful chief of the Tuscaroras, had refused to join in the conspiracy, and Albemarle county escaped. But the recent dissensions in the province, the refusal of the Quakers to bear arms, and the apprehensions of attack on the western frontier of Albemarle made Governor Hyde's task an exceedingly difficult one. Alone the colony could hardly have sustained itself, and Hyde appealed to Virginia and South Carolina for help. Virginia sent none, but South Carolina responded generously. Col. John Barnwell marched a force of white men and Indians through 300 miles of forests, struck the enemy in two hard battles near New Bern, and defeated them. Though reinforced by a force of North Carolinians he was less successful in his attack on Hancock's fort on the Contentnea. But he returned again to the attack in the following spring. In the fort, however, Hancock held a large number of white women and children prisoners, and in order to save these, Barnwell agreed to a treaty of peace, and soon afterwards returned to South Carolina. He was subjected to severe criticism for his course, but probably none of it proceeded from

those whose wives and children he had thus snatched from the jaws of death.

Neither side, however, observed the treaty, and before the summer of 1712 was gone the war was renewed. Yellow fever added its horrors to those of war, and claimed perhaps as many victims. Among them was Governor Hyde. Col. Thomas Pollock, a man of ability and character, became president of the council, and during the summer and winter pushed the war vigorously. In September he negotiated a treaty with Tom Blunt by which the latter secured a truce with Hancock until the following January. Before this truce expired Col. James Moore arrived from South Carolina with a small force of white men and 1,000 Indians. Coöperating with President Pollock he speedily drove the Indians to the cover of their forts, stormed the strongest, captured it, and inflicted on them a loss of 800 warriors. Crushed by this blow, the remnant of the defeated Tuscaroras emigrated to New York where, joining their kinsmen, the Iroquois of the Long House, they changed the celebrated Five Nations to the Six Nations.

Two years later North Carolina had an opportunity to return the kindness of South Carolina. In 1715 the Yemassee Indians, by whose aid the Tuscaroras had been defeated, allied all the tribes from the Cape Fear to Florida in hostilities against the white settlers. North Carolina sent Col. Maurice Moore, a brother of Col. James Moore, to the aid of the southern colony, and Moore struck the blow that finally crushed the power of the Cape Fear Indians and opened that section to white settlers.

Pirates.

Three years later the Cape Fear was rid of another pest. The dangerous coast that repelled legiti-

mate traders from the Cape Fear made that river a favorite resort for those whose trade was plunder and rapine. Behind the sand bars that stretch across the mouth of the river hundreds of pirates rested secure from interference while they leisurely repaired damages and kept a sharp lookout for prey. The period from 1650 to half a century after the departure of Yeamans' colony, John Fiske has aptly called "the golden age of pirates." As late as 1717 it was estimated that as many as 1,500 pirates made headquarters at New Providence and at Cape Fear. But next year New Providence was captured and the freebooters driven away. "One of its immediate results, however," as Fiske observes, "was to turn the whole remnant of the scoundrels over to the North Carolina coast where they took their last stand." The names of Blackbeard and Stede Bonnet became household words all along the Carolina coast. The former made his headquarters at Bath, the latter at Cape Fear, and their wild deeds in those waters furnished material for stories that are still poured into the ears of credulous listeners. Finally, through the exertions of Governor Johnston, of South Carolina, Capt. William Rhett sailed for the Cape Fear, captured Bonnet after a desperate struggle, and carried him to Charleston where he paid the penalty for his crimes "at the tail of a tow." A few weeks later Governor Spotswood, of Virginia, fitted out an expedition against Blackbeard under the command of Lieut. Robert Maynard. Maynard caught the pirate off Ocracoke Inlet, defeated and killed him, and carried his infamous crew to Virginia to be executed. These were decisive blows to piracy along the North Carolina coast, and after a few more years the black flags of the buccaneers disappeared from our seas.

Boundary between North Carolina and Virginia.

After these victories for good government and civilization, the colony settled down during the last decade of proprietary rule to a period of comparative repose. There were, it is true, a few internal dissensions, occasioned, as such dissensions are still occasioned, by the ambitions of rival politicians, but they affected the welfare of the colony but little, and were small affairs in comparison with the great struggles through which the colony had already passed. During this period occurred two events of more than passing interest. In 1728 the long-standing boundary line dispute with Virginia was finally settled. Commissioners appointed by the two provinces ran the line, with great difficulty, skill and heroism, through tangled forests and unexplored swamps. As they ran it, so it remains to this day.

Proprietary Abolished.

The same year saw the rule of the Lords Proprietors brought to a close. Nine years before the people of South Carolina had thrown off the proprietary government and sought admission into the class of Crown colonies. Neither the people nor the Proprietors had been satisfied with the latter's experiment. The King, too, regretted the grant which had conveyed such vast possessions and such extensive political power to subjects. The action of South Carolina, therefore, set in motion a train of thoughts and negotiations that resulted, in 1728, in the purchase by the Crown of seven-eighths of the territorial interests of the Proprietors and the resumption of all their political authority. Both provinces then passed under the direct authority of the Crown and the rule of the Lords Proprietors came to an end. In North Carolina the change was celebrated with great public rejoicings.

Conclusion.

The people had cause for their joy. Neglected by the Proprietors and antagonized by the commercial policy of their powerful northern neighbor, what those early Carolinians had obtained they got through their own unassisted exertions and without favor from anybody. None of the English colonies had passed through a more desperate struggle for existence. The geographical position of North Carolina was such as placed its commerce at the mercy of Virginia, and there was then, as Saunders observes, no Federal Constitution to prevent unneighborly legislation. The inefficient government of the Proprietors was unable to preserve either order or safety in the province, and was just strong enough to be a source of constant irritation. The Culpepper Rebellion, the Cary Rebellion, the Indian wars and the struggle with piracy severely tested the character and the capabilities of the people. Their situation, for instance, at the close of the Indian wars was almost desperate. Most of the people have "scarcely corn to last them until wheat time, many not having any at all"; "the country miserably reduced by Indian cruelty," and "the inhabitants brought to so low an ebb" that large numbers fled the province; "our intestine broils and contentions, to which all the misfortunes which have since attended us are owing"; "a country preserved which everybody that was but the least acquainted with our circumstances gave over for lost"; these are typical expressions with which the correspondence of the period abounds. That the colony survived these conditions is better evidence of the character and spirit of the people than the sneers and jibes of hostile critics, either contemporary or modern. Had the greater part of the population of North Carolina, or even a considerable minority of

it, been composed of "the shiftless people who could not make a place for themselves in Virginia society," as William Byrd and John Fiske would have us believe, all the aristocracy of Virginia and South Carolina combined could not have saved the colony from anarchy and ruin. Yet between the years 1663 and 1728 somebody laid here in North Carolina the foundations of a great state. The foundation upon which great states are built is the character of their people, and the "mean whites" of Virginia are not now, nor were they then, the sort of people who found and build states. No colony composed to any extent of such a people could have rallied from such disasters as those from which North Carolina rallied between 1718 and 1728. Those years were years of growth and expansion. The population increased threefold, the Cape Fear was opened to settlers, new plantations were cleared, better methods of husbandry introduced, mills erected, roads surveyed, ferries established, trade was increased, towns were incorporated, better houses built, better furniture installed, parishes created, churches erected, ministers supplied, the schoolmaster found his way thither, and the colony was fairly started on that course of development which brought it, by the outbreak of the Revolution, to the rank of fourth in population and importance among the thirteen English-speaking colonies in America.

BIBLIOGRAPHY.—The great source and the only absolutely reliable source of information relative to the history of North Carolina is the *Colonial Records of North Carolina*. This following list makes no pretence to completeness, and only a few titles are given which for their accessibility may be easily consulted, or for other reasons are of especial interest or importance.—Alderman, E. A.: *William Hooper;* Ashe, Samuel A.: *History of North Carolina* (2 vols., in press, Greensboro); Bassett, John S.: *Constitutional Beginnings of North Carolina*, 1663–1729 in *Johns Hopkins University Studies*, Series XII., No. 3 (Baltimore), *The Writings of Colonel William Byrd of Westover in Virginia Esqr.* (New

York, 1901); Bancroft, George: *History of the United States* (6 vols., New York, 1888); Fiske, John: *Old Virginia and Her Neighbours* (2 vols., Boston and New York, 1897); Hawks, Francis L.: *History of North Carolina*, with maps and illustrations (2 vols., Fayetteville, 1857–58); Lawson, John: *The History of Carolina* (London, 1718); Martin, Francis X.: *History of North Carolina* (2 vols., New Orleans, 1829); Moore, John W.: *History of North Carolina* (2 vols., Raleigh, 1880); Raper, Charles Lee: *North Carolina: A Study in English Colonial Government* (New York, 1904); Saunders, William L., and Clark, Walter: *The Colonial Records of North Carolina* (26 vols., 1886–1917); Weeks, Stephen B.: *The Religious Development in the Province of North Carolina* in *Johns Hopkins University Studies*, Series X., Nos. 5-6 (Baltimore, 1892), *Church and State in North Carolina* in *Johns Hopkins University Studies*, Series XI., Nos. 4-6 (Baltimore, 1893), *Libraries and Literature in North Carolina in the Eighteenth Century*, from the *Annual Report* of the American Historical Association for 1895, pages 171–267 (Washington, 1896), *Southern Quakers and Slavery* in *Johns Hopkins University Studies*, Series XV. (Baltimore, 1896); Wheeler, John H.: *Historical Sketches of North Carolina* (2 vols., Philadelphia, 1851); Williamson, Hugh: *The History of North Carolina* (2 vols., Philadelphia, 1812); Winsor, Justin: *Narrative and Critical History of America* (8 vols., Boston and New York, 1889); *North Carolina Booklet*, published quarterly by the North Carolina Society Daughters of the Revolution, Raleigh, and including: Ashe, Samuel A.: *Our Own Pirates* (Vol. II., No. 2); Bassett, John S.: *The County of Clarendon* (Vol. II., No. 10); Battle, Kemp P.: *The Lords Proprietors of Carolina* (Vol. IV., No. 1); Cheshire, Joseph Blount: *First Settlers in North Carolina, Not Religious Refugees* (Vol. V., No. 4); Clark, Walter: *Indian Massacre and Tuscarora War*, 1711-13 (Vol. II., No. 3); Davis, Junius: *Locke's Fundamental Constitutions* (Vol. VII., No. 1); Grimes, J. Bryan: *Some Notes on Colonial North Carolina*, 1700–1750, (Vol. V., No. 2); Haywood, Marshall DeL.: *Governor Charles Eden* (Vol. III., No. 8), *John Lawson* (Vol. VI., No. 4); Hinsdale, Mrs. John W.: *Governor Thomas Pollock* (Vol. V., No. 4); Holladay, Alexander Q.: *Social Conditions in Colonial North Carolina* (Vol. III., No. 10); Kennedy, Sara B.: *Colonial New Bern* (Vol. I., No. 2); Raper, Charles L.: *Social Life in Colonial North Carolina* (Vol. III., No. 5).

R. D. W. Connor,

Secretary of North Carolina Historical Commission, Raleigh, N. C.

Chapter II.

NORTH CAROLINA A ROYAL PROVINCE, 1729-1776.

Condition from 1729-1752.

The Proprietary of the Carolinas ended in 1729 by its purchase by the Crown. Only Lord Granville refused to sell his share. There were several reasons for this transfer. The Crown desired it for purposes of defense against the Spaniard and the French on the south and southwest; the merchants of England preferred to trade with royal provinces rather than with proprietaries, and the proprietors were glad to sell, for their possessions had not been a financial success. Politically the Proprietary had produced only unrest and conflicts; its history was one of collisions and insurrections. As far as the settlers were concerned the transfer was a matter of indifference. They felt that all their rights were guaranteed by the original charter under which they had made their settlements, and that neither proprietors nor king could interfere with them.

At the time of the transfer there were about 40,000 people in the province, including both white and black. They were settled along Albemarle Sound, and at the mouths of the rivers as far south as New Bern. The few Indians that remained in the settlements were on reservations. The people were engaged in farming, cultivating corn, wheat, tobacco, peas, rice, indigo, and some cotton. Tar and rosin engaged some attention. There were a few saw-mills along the rivers. Hogs and beef cattle were driven to Virginia and sold. Barreled pork and beef were shipped. Their trade was with New

England and the West Indies and Virginia. Sugar, molasses and rum were imported from New England. The English navigation laws produced some smuggling. The people were a plain people who manufactured their own clothes called "homespun." The transfer to the Crown produced little change in the form of government. The governor was now appointed by the Crown instead of by the proprietors. He was to hold his office during the pleasure of the Crown. His salary was supposed to be paid out of quit-rents due the Crown. His instructions were so minute and voluminous that he had little freedom of action. In the administration of affairs he was assisted by a council, secretary, receiver-general for the collection of rents due the Crown, surveyor-general and attorney-general, all of whom were appointed by the Crown.

The judicial department consisted of a Supreme Court composed of a chief justice and his associates, and the precinct courts that met quarterly in each precinct. In addition to these there were some minor courts. The legislature consisted of an upper house composed of members of the council, and a lower house elected by the people of the precincts. Certain towns were also given representation in the lower house.

At first there were only two counties and these were divided into precincts. These counties were Albemarle and Bath, but in 1738 these precincts were made counties. There was no chief town. The governor resided at his own place, and the Assembly met frequently at private houses.

The first governor appointed by the Crown was George Burrington. He had been governor under the proprietors, but had been recalled. His administration was short. He arrived in 1731 and his administration terminated in 1734. The settlers

THE SMOKY MOUNTAINS.

welcomed Burrington, though his former administration had been turbulent. This good feeling did not last long, for turmoil and strife soon followed. Burrington was full of energy. He visited every part of the province, explored the rivers and sounds and strove to aid the province. However, he was quarrelsome and knew nothing of diplomacy. From good testimony it appears that he was vulgar, profane and boisterous. He declared that the settlers "always behaved insolently to the governors. All the governors that were ever in the province lived in fear of the people and dreaded their assemblies." This statement is borne out by the missionary Urmstone, who said "they respect no authority that does not emanate from themselves."

Very wisely Burrington was recalled and Gabriel Johnston became his successor. Johnston was a Scotchman who had been engaged in English politics in London. He was different in temperament from Burrington. He felt himself gifted in the art of bringing things to pass by what he called "management." He had many opportunities to show his skill, for his administration was a long one, extending over eighteen years—till 1752. There were many perplexing problems that harassed Johnston. One was the collection of quit-rents. Lands were not held by the settlers in fee simple. Each year they were required to pay to the Crown certain rents called quit-rents, which were nothing more than a tax. The time, place and means of the payment were the causes of bitter trouble. In disgust, Johnston wrote that these people "never were of any service to the proprietors, and I fear they never will be to the king." The governor devised many schemes, but the Assembly under the management of the astute Edward Mosely always interfered with his plans. Finally Johnston determined that

he would get control of the Assembly by a trick of his "management." He called the Assembly to meet at Wilmington in the month of November. This place was so far from the populous Albemarle section that he thought few of the opposition from that section would be able to attend. In this he was correct, for not even a quorum was present. This did not embarrass Johnston, for he proceeded to organize the Assembly and to legislate.

The most important legislation of the session had to do with the Albemarle section. These old precincts had each five representatives, while the new precincts had only two. A law was enacted limiting the Albemarle precincts to two also. They refused to abide by the law, and elected their customary five. The Assembly refused to seat them, but Albemarle refused to send others. This condition remained for eight years. Being unrepresented, Albemarle refused to pay taxes. Inasmuch as the northern counties did not pay, the southern refused also. Finally the Crown repealed the obnoxious legislation.

It was during Johnston's administration that four companies were sent to join Admiral Vernon in his attack on the Spaniards at New Carthage in South America. Also the coasts were frequently attacked by parties from St. Augustine and by Spaniards. In these attacks cattle was slaughtered, slaves stolen and some persons killed. To protect the entrance to the Cape Fear, Fort Johnston was erected at the mouth.

Worn out with care, Governor Johnston died in 1752.

Expansion of the Province, 1752-1765.

During the administration of Johnston the province began to grow rapidly toward the west. Scotchmen began to arrive as early as 1739, and to settle

along the Cape Fear River. At the end of the Johnston administration the population was estimated at 90,000. Johnston having died in office, he was succeeded by the president of the Council, Nathaniel Rice. He lived only a few months when he was succeeded by Matthew Rowan, a prominent merchant of Bath, who held the office till the arrival of Arthur Dobbs in 1754. Immigrants had already begun to pour into the "back country" before the arrival of Dobbs. Many Scotchmen came to the colony immediately after the battle of Culloden in 1745, and settled on the Cape Fear; the Scotch-Irish came down in great numbers from Pennsylvania and settled what is now the central portion of the state; into the same region, only a little further west, came the Germans—better known as the Pennsylvania Dutch, and the Moravians settled in the northwest—called by them Wachovia. In addition to these immigrants many Englishmen continued to come into the province. This tide of immigration completely changed the character of the province. Hitherto, it had been weak and feeble, but soon there were 125,000 people. Also, these immigrants were of the highest type—industrious, frugal, religious, intelligent. The fact that Johnston was from Scotland and that Dobbs was from Ireland was an inducement to these people to come to this province. At this time North Carolina was developing more rapidly than any other province in America.

Religious Conditions.

In religion these new immigrants were mostly Presbyterian and Lutheran. They believed in education, and built their school houses and churches in the same grove. In the east there were Baptists, Quakers and Episcopalians. Numerous Vestry Acts had been passed with a view of permanently estab-

lishing the Church of England, but these acts amounted to very little. These Vestry Acts generally made each county a parish, the voters of each parish selected the vestry to secure a minister who was required to be acceptable to the bishop of London. The legislature fixed the fees for the minister and provided for a glebe. In the eastern counties where there were members of the Church of England it was not difficult to put these laws into effect, but in the "back counties," where there were practically only Dissenters, these acts were of no avail. Dissenters were chosen vestrymen, and they failed to provide for a minister. In this way the law was nullified.

The great missionary society of England for the propagation of the gospel in foreign parts, had sent missionaries to the province as early as 1701, but the efforts had amounted to little. Later came Presbyterians and Baptists who were more successful.

Land Grants.

Land grants on easy terms were secured from the Crown. In order to encourage immigration, certain London merchants were given large grants. McCulloch was granted 1,200,000 acres on the headwaters of the Pee Dee and the Cape Fear. He was to divide this into baronies of 12,500 acres each. No rents were to be paid for many years. These large grants caused much trouble up to the time of the Revolution, when the McCulloch lands were confiscated. In 1744 Lord Granville's lands were assigned him. He was given the northern half of the province from the seat to the west. It was from him that the Moravians made their purchase of 100,000 acres and established their communistic settlement. It was unfortunate for the Crown and the province that an absentee landlord was owner of

one-half the land. It caused no end of trouble. The rents went to him and not to the Crown. Many complaints were made against Granville's agents; they made little effort to bring settlers, and there was jealousy between the Crown's domain and the Granville district. The laws for this district were made by the legislature, but this divided rule was hurtful. Serious riots were frequently threatened with the agents, which the Assembly was called upon to settle. On one occasion a large body of men went to the home of Francis Corbin, the agent, and compelled him to go with them to Enfield, where he was forced to promise reforms under a "peculiar bond." Lord Granville never gave up these lands, but lost them in the upheaval of the Revolution.

French and Indian Wars.

In the French and Indian war this province was quick to respond to the call for help. Under President Rowan, before the arrival of Governor Dobbs, the Assembly voted an aid of 750 men and £12,000. The command was given to Col. James Innes, who had previously led the provincial troops against Spain in the attack on New Carthagena. Colonel Innes led 450 of these troops to Virginia and arrived there just after the discomfiture of young Washington at Great Meadows. The commander of the expedition against the French was General Frye. Just at this juncture he died, and Governor Dinwiddie prevailed upon Innes to take chief command. The whole expedition had been poorly planned, no provision had been made for the support of the troops and the French outnumbered the English. Under these circumstances Colonel Innes sent the North Carolina troops to their homes. He remained at the head of a handful of troops till the English government appointed Governor Sharpe to

the chief command. In October, 1754, Governor Dobbs met with Governor Dinwiddie at Winchester, and made plans for a more extensive campaign. Colonel Innes was prevailed upon to remain with the army as Camp-Master-General. When Fort Cumberland was finished he was made governor. Braddock had now taken chief command and in July, 1755, made his disastrous attack on the French and Indians. Colonel Innes received the remnant of his army into Ft. Cumberland. Though it was August his successor went into winter quarters in Philadelphia, leaving Innes with a mere handful of men and the sick and wounded. Under these circumstances he disbanded his men and returned to North Carolina.

Governor Dobbs was very energetic all the time in support of the English government. He had been a member of the army, and his son, Edward Brice Dobbs, was then a member. At this time he was visiting his father. He organized a company to go to the aid of General Braddock. In 1755 four companies were organized to go to the help of the English in New York. Governor Dobbs met other governors in Philadelphia, in 1757, to discuss ways and means to conduct the war. In the same year two companies were sent into South Carolina to aid in repelling an attack from that direction. In the campaign against Ft. DuQuesne three companies were sent from North Carolina under the command of Col. Hugh Waddell. He was probably the youngest colonel in the expedition, but also the most expert Indian fighter. He often dressed as an Indian and was skilled in their woodcraft. This knowledge was of great service to the commander in this expedition.

The contribution of North Carolina to this war was made under the most trying difficulties. Money could be secured only by exporting products to other

colonies, where they were sold at a sacrifice. The English government voted funds to reimburse the colonies, but North Carolina felt that she never received her share and blamed Governor Dobbs for it.

While this war was waging there was danger to the province nearer home. The Indians on the western frontier were ready for the warpath. The Cherokees in the western mountains had many fighting men. They began to make raids on the frontier settlers and to massacre them. So great was the danger that the Assembly erected a fort just beyond Salisbury, naming it Ft. Dobbs. Colonel Waddell was placed in command. In 1756 another fort was erected still further westward. The Moravian settlement also became a retreat for the settlers. In February, 1760, the Indians attacked Ft. Dobbs in great numbers, but were repulsed by Colonel Waddell. In 1761 a campaign against the Indians was planned. Colonel Grant, of the English army, was to march against them from the south, and Colonel Waddell from the north. Grant met the Indians near the present town of Franklin and crushed them so that they sued for peace.

There were other troubles that worried the last days of Governor Dobbs. The old quarrel with the Assembly continued. Dobbs was anxious to return to England, and so asked for an assistant governor. He died before sailing, and the administration of affairs passed to the lieutenant-governor, William Tryon, in 1765.

William Tryon and the War of the Regulation, 1765-1771.

Tryon was the most distinguished and accomplished of all the royal governors ever sent to the province. He was well-born, accomplished, ambitious, diplomatic and suave in manners. He was the one governor who was able to get along with the

Assembly. He was very popular, but this popularity he won only after a bitter experience with the Assembly at the very beginning of his administration. This trouble arose from the effort to enforce the Stamp Act.

Tryon was told by Speaker Ashe of the Assembly that they would resist its enforcement to the death. Tryon therefore prorogued the Assembly. The people, however, were very restless. On October 16 some 500 or 600 people assembled in the town of Wilmington and burned Earl Bute in effigy. The crowd then compelled many citizens of the town to come out to a bonfire and drink to "Liberty property, and no stamp duty and confusion to Lord Bute." Dr. Houston, who had been appointed stamp-master, was required to take oath that he would sell no stamps. Mr. Stewart, the printer, was required to publish his paper without the stamps. Instead of the stamps he printed a skull and cross-bones with these words: "here is the place to affix the stamps." The governor, seeing the dangerous trend of things, called together a number of merchants for consultation and tried to persuade them to render obedience to the law, but they refused firmly to try to prevail upon the people to accept it.

On January 16 two vessels came into the Cape Fear without the proper stamps. They were seized by an English war-vessel, the *Viper*. There was great indignation among the people. The crew, sent to Wilmington for supplies, was arrested and thrown into prison, and no supplies were permitted to be sent to the vessel. The militia of the county was called out, and under the commands of Colonels Ashe and Waddell came to Brunswick, and threatened the vessel. The commandant of Ft. Johnston, fearing that they might seize the fort, spiked all the

guns. These troops were not disorderly; they even visited the governor and told him that no harm was intended to him, but that the commerce of the Cape Fear must not be interrupted. There was no concealment in the conduct of these men, and the best men of the province were the leaders. Tryon was fearful that a general insurrection would ensue, for the whole province was in sympathy with the conduct of these leaders. Happily, at this juncture, the news arrived that the odious measure would be promptly repealed. All disturbances now subsided. Tryon had learned something of the type of men that he had come to rule, and in the future he guided himself accordingly.

Tryon and his wife were fond of society and possessed many social accomplishments. When the Assembly met they made friends rapidly. He prevailed upon them to locate the capital at New Bern and to undertake the building of a palace for the governor, and one of the finest buildings in America was erected. Under Tryon European court etiquette reached its highest point in this colony. His receptions were full of forms and ceremonies that appealed to the imagination of the Assembly, and to the best people of the province. Of course, this palace created a debt, but no word of complaint was heard save from the "back counties."

One other very prominent trait of Tryon was his fondness for military display. He was never happier than when he was surrounded by a military escort and exercising the pomp of arms. He felt that such display impressed the imaginations of the people with the power and strength of government. For example, there was a demand that the dividing line between the province and the Cherokee Indians be run. Instead of sending surveyors, he organized the militia of Rowan and Mecklenburg counties into

a regular army, and with the flare of trumpets and the beat of drums he marched into the region, camped for a few days, returned home and left the surveyors to run the line. He made the desired impression on the Indians, for they called him "the Great Wolf." Then, too, it helped to cement the Tryon party and to make him popular with many people. This proved a heavy expense, but the Assembly, unlike the Assembly of earlier days, had no complaint to make.

Regulators.

The most important and most dramatic event in the colonial history of the province was the Regulator movement. The most notable outbreak occurred in Orange county, though the sympathizers with the Regulator complaints were found in various sections. The movement was the outcome of conditions social, political, economic and, some have thought, religious. The social life of the new west, or "back counties," was different from the old east. These new settlers were farmers; they had little intercourse with the east, and they were too far from the sea to engage in trade. They had little money, which was always a defect in the economic life of the province. They had an abundance of produce, but they could not obtain money for it. In religion they were dissenters. Their ministers were strong leaders. In fact the settlements were made in small groups, and each group had its leader, who was frequently the minister. The system of local government did not tend to bind them to the east. The county officers received their appointment from the governor. There was centralization in government, but decentralization in everything else. It was out of conditions like these that complaints began to be made as early as 1765 against the county

officials. The first formal complaint was made on June 6, 1765, in the famous Nutbush paper of Granville county. This paper set forth some of the grievances under which the people claimed to labor. This brief paper complained of the illegal exactions of lawyers and clerks, and declared that "few of you have not felt the weight of these iron fists." Similar but fuller complaints were made in Orange and Anson in 1766. Protests were sent to the Assembly, but there was no redress of grievances. That these grievances were real, and not imaginary, no one denies. Feeling grew so intense that the Orange Regulators in March, 1768, declared that they would pay no more taxes "till there is a settlement to our satisfaction." The mild protests of 1766 and 1767 had gone unheeded, and so now the era of threats and force began. The sheriff of Orange was warned that any effort to collect tax would be at his peril. He did not heed this warning but seized a mare, bridle and saddle for taxes. A number of indignant Regulators proceeded to Hillsboro, rescued the property and fired into the house of Edmund Fanning, whom they regarded as responsible for the failure to heed their grievances. For this offense two men, Herman Husbands and William Butler, were arrested on April 30. On May 3, 700 Regulators went to Hillsboro to secure their release, but found that they were already released on bail. In July Governor Tryon came in person to Hillsboro, and returned in September, bringing troops from Rowan, Orange and Granville to protect the court that was to be in session. Here was another example of Tryon's fondness for display, though it cost the province £20,000. When the court met a great band of Regulators numbering, it was estimated, 3,700 came near the town, and sent to inform the governor that they wished to lay aside all illegal

methods of settling their grievances. Tryon took no notice of their request, and so the Regulators returned to their homes. Things now remained quiet for a time. A new Assembly had been called and many new men had been elected. The Regulators were hoping to obtain a favorable hearing from them, but were doomed to disappointment. Other things also happened to irritate the Regulators. When the Hillsboro court met in September, 1770, a band of Regulators came to town, entered the court-house, intimidated the judge till he fled, whipped some lawyers, assaulted Fanning and permitted him to go on condition that "he take the road and continue running until he should get out of their sight." Then they took possession of the court-house and proceeded to hold a mock court, entering all kinds of ridiculous verdicts on the record. Their whole conduct smacks of the rude horseplay common to American frontier life.

Governor Tryon now began to contemplate the use of force. The judges, attorney-general and Council advised this course. The Assembly was now called and proceeded to pass the Johnson Bill, better known as the Bloody Act, which made rioting treason. Husbands, a leader among the Regulators, was a member of this Assembly. He was expelled but was arrested at once, and was to be tried in New Bern. Only the failure of the grand jury to return a true bill prevented the Regulators from marching a large body to New Bern to release him by force.

Governor Tryon, in the meantime, placed the town under military control, and had the militia held in readiness all along the expected line of march.

In April Tryon, having completed his preparation, began to collect his troops and to move into the "back counties." He assembled about 1,200

troops, collected mostly from the eastern and southeastern counties, the Albemarle section, however, refusing to send troops. Tryon took personal command of this division. The brilliant Hugh Waddell was sent to raise an army in the counties of Mecklenburg, Anson and Rowan. In this region Waddell was well known and beloved as the defender of Ft. Dobbs. He assembled his troops but failed to march further than the Yadkin River, near Salisbury. Here he found himself surrounded by so many Regulator sympathizers that he called a council of war, and it was decided not safe to proceed any further. Then, too, his powder wagons had been surprised while in camp in what is now Cabarrus county, and destroyed by masked men.

Tryon, in the meantime, marched to Hillsboro, and on May 16 came face to face with a large band of Regulators and their friends on Alamance Creek, a few miles beyond Hillsboro. Great numbers of these people had not come up for a battle and were unarmed. When the battle began most of them fled. Of this battle Tryon says: "The loss of our army in killed and wounded and missing amount to about sixty. The action lasted two hours, but after about half an hour the enemy took to tree-fighting, and much annoyed our men who stood at the guns." The loss in killed and wounded among the Regulators is not definitely known. It has been variously estimated from twelve to two hundred.

Immediately after the battle one person, Few, was hanged. He was said to have been half demented. The victorious army then marched to Sandy Creek Baptist church and destroyed the property of the Regulators, especially the farm of Herman Husbands, where one of the army wrote that they "found fifty acres of the finest wheat." Thence the army moved further west to make a junction with Wad-

dell. They met near the Moravian settlement. After a few days Tryon sent Waddell back into Rowan and Mecklenburg to quiet any defection in those parts. Tryon himself, with the main body, returned to Hillsboro, where a number of prisoners were put on trial for their lives for high treason. Twelve were pronounced worthy of death, and six of them immediately executed in the presence of the governor and surrounded by his troops. Tryon then announced to his army that his work in North Carolina was ended. Before the battle he had been notified of his appointment to the governorship of New York. He proceeded to New Bern and left the army to be disbanded by Colonel Ashe. Among those executed at Hillsboro was James Pugh. He received permission from the governor to speak at the gallows. In his speech he "refused to make any acknowledgments for what he had done, that his blood would be as seed sown in good ground, which would produce a hundredfold."

The battle of Alamance effectually ended the Regulator troubles. These people had real grievances, but they attempted to remedy them in an unlawful manner. For this they must not be judged too harshly, for they were frontiersmen, and frontiersmen are not accustomed to look to the government for much protection.

Governor Tryon did not use all the means in his power to pacify these people. He was needlessly harsh in his treatment of them, and drove them from their homes. Morgan Edwards made a tour through this section one year after the battle and wrote that "it is said 1,500 families departed since the battle of Alamance, and to my knowledge a great many more are only waiting to dispose of their plantations in order to follow them."

The End of the Provincial Period.

Gov. Josiah Martin, the last of the royal governors, took up the unfinished tasks of Governor Tryon. He tried to make friends with the Regulators, but it was too late, for great numbers of them had determined to go to the more western counties, and they did. Unlike Tryon, Martin was not able to make friends with the leaders of the Assembly, and so the old clash between the governor and the Assembly returned. The debts of the province had greatly increased. Money was not to be had in sufficient quantity to conduct the affairs of trade, and politically, the province was divided. However, the province had continued to prosper. Sawmills had been erected and iron furnaces had been started. In the "back counties" there were some good farms. Population was steadily increasing, though the disturbances had checked its rapid growth. In 1766 Tryon said that a thousand immigrant wagons passed through the town of Salisbury.

In character, Martin was very different from Tryon. He possessed none of the latter's fascination and diplomacy, but had an exalted idea of the royal prerogatives. Among the more influential of the people he never made an intimate friend. Three local troubles arose to embarrass and to harass him. The boundary line between North and South Carolina had not been completed beyond the Catawba River. Martin's royal instructions for continuing it were such that the province felt that it was being deprived of territory that rightfully belonged to it. Over this he and the Assembly had a prolonged quarrel. Also, certain special taxes the people thought should be abolished, that enough had been collected to meet the purpose for which it had been levied. But the most exasperating problem was the enactment of a judicial system, or Court Law. The

act creating a judiciary was limited in time. This time was now expired, and Governor Martin could never prevail upon the Assembly to pass a new act conformable to his instructions. The result was that the province was left practically without courts of law. This was the first feature of the royal government to fail. These three local cases were sufficient to have prepared North Carolina for the more important movement impending.

In 1773 the Assembly began to take notice of English colonial legislation by the appointment of a committee to keep it informed on such matters, and 1774 found North Carolina in full and free correspondence with the other colonies. The colonies had resolved to bring about concert of action through a continental congress. Governor Martin determined that his province should send no delegate, that he would call no assembly as Tryon had done in regard to the Stamp Act Congress of Albany. Col. John Harvey, the speaker of the Assembly, heard of this intention, and declared that "then the people will convene one themselves." Harvey's suggestion was carried out and the first Provincial Congress met at New Bern on Aug. 25, 1774. Governor Martin issued a proclamation forbidding such a meeting, but it was unheeded. Though the notice was short, most of the influential members of the Assembly were present. Twenty-nine of the thirty-five counties were represented by seventy delegates. This congress denounced English legislation—especially the tax on tea, declared that the cause of Boston was the cause of all, and called for a continental congress and also appointed committees of safety in each county to see that such agreements as might be made at such a congress be enforced.

Governor Martin called for a new Assembly to meet at New Bern in April, 1775. Colonel Harvey

called another provincial congress to meet at the same time and place. Governor Martin fulminated and proclaimed against this meeting also, but it was of no avail. Both the Assembly and the Congress met at the same time and place, and were composed largely of the same men. Colonel Harvey was elected speaker of the Assembly and also moderator of the Congress. On motion, the Assembly would transform itself into the Congress and vice versa. In reality the bodies were but one, though different records were kept. One, however, was legal, while the other was revolutionary. After a few days Governor Martin, in disgust, dismissed the Assembly. The Congress had adjourned the previous day. Soon after the adjournment came the news of the fight at Lexington. The news created excitement and indignation, and on May 20, 1775, was passed the famous Mecklenburg Declaration of Independence, or, at least, the Mecklenburg Resolves of May 31.

Governor Martin was now ill at ease. His every action was watched by the New Bern Committee of Safety. He began to feel that his palace was only a prison. He sent his family to New York and himself went to Ft. Johnston on the Cape Fear, or as he expressed it, "sought safety under the protecting guns of the British sloop-of-war lying at the mouth of the Cape Fear." However, he had been in no personal danger, no threat had been made against him, and he could have remained in perfect safety in the palace, fully protected by his sheer helplessness. Thus ended Martin's four years of rule, and with his flight from the palace practically ended English rule in the province.

In August the third Provincial Congress met—not in the east, but in the west—at Hillsboro. This body consisted of one hundred and eighty-four mem-

bers. It promptly declared that since the governor had "abdicated" it was necessary to create some form of temporary government. They proceeded to enlarge the committee system. There were created committees for each county, each judicial district, and a central committee for the whole province. The affairs of the province now passed into the hands of these popular bodies, and no semblance of royal authority remained. This Congress also put the province in military readiness to meet any emergencies. The militia was organized into six battalions, and two regiments of 500 men each were organized for the Continental Line. Aid was promptly sent to Virginia, to South Carolina and against the western Indians.

This military preparation was none too soon, for the English were making ready for a campaign against North Carolina. A fleet was to come to the mouth of the Cape Fear and make a junction with the loyalist forces that were to march down from the interior. In January, 1776, the loyalists began to assemble at Cross Creek, the centre of the great Scotch settlement. The object of the loyalists was to make the junction with the fleet by marching down the river. The provincial militia was collected at once under Caswell, Moore and others. An active campaign of a month began now. The provincials placed themselves across the line of march. After much marching and counter marching the two forces met, Feb. 27, 1776, at Moore's Creek Bridge, only a few miles from Wilmington. The battle was short, but fierce and decisive. The Scotch loyalists, or Tories, were completely defeated. In the engagement about a thousand provincials took part, though six thousand had been engaged in the manoeuvres. The Scotch loyalists numbered between two and three thousand. The failure

of this uprising completely frustrated the plans of the fleet, which came, looked into the Cape Fear, took Governor Martin on board and sailed further south.

Soon after the battle the fourth Provincial Congress met at Halifax in April. The formation of a constitution and a permanent form of government was discussed, but was wisely postponed. The people of the province were now ripe for independence. As early as April, 1774, William Hooper had declared that the American colonies "were striding fast to independence." On April 12 this fourth Provincial Congress instructed its delegates to the Continental Congress—Hooper, Penn and Hewes—to vote for independence, complete separation from England. This matter was brought up in the Continental Congress, and the wisdom of immediate action was discussed from day to day. Many patriots doubted the wisdom of immediate declaration. John Adams tells how Joseph Hewes determined the matter: "One day while a member was producing documents to show that the general opinion of all the colonies was for independence, among them North Carolina, Hewes, who had hitherto constantly voted against it, started suddenly upright, and lifting both hands to heaven, cried out, 'It is done and I will abide by it.' I would give more for a perfect picture of the terror and horror upon the face of the old majority at that critical moment than for the best piece of Raphael." To Jefferson, Adams wrote in 1819: "You know the unanimity of the states finally depended on the vote of Joseph Hewes, and was finally determined by him; yet history is to ascribe the American Revolution to Thomas Paine!" Thus ended the royal province of North Carolina, and the old dispensation gave way to the new.

BIBLIOGRAPHY.—Ashe: *Biographical History of North Carolina;* Bassett: *Regulators of North Carolina;* Caruthers: *Life of Caldwell* (1842);

Foote: *Sketches of North Carolina* (1846); Graham: *The Mecklenburg Declaration of Independence;* Hoyt: *The Mecklenburg Declaration of Independence;* Haywood: *William Tryon;* Jones: *A Defense of the Revolutionary History of North Carolina* (1834); Martin: *History of North Carolina to* 1776 (2 vols., 1829); McRee: *Life and Correspondence of James Iredell* (2 vols., 1857); Raper: *North Carolina: A Study in English Colonial History;* Sikes: *Transition from Colony to Commonwealth* (1898); Weeks: *The Religious Development of the Province of North Carolina* (1892), *Church and State in North Carolina* (1893); Williamson: *History of North Carolina* (2 vols., 1812); *Colonial Records of North Carolina* (Vols. III.–X., inclusive, 1886–1890); Waddell: *A Colonial Officer and His Times* (1890).

ENOCH WALTER SIKES,
Professor of Political Science, Wake Forest College.

CHAPTER III.

NORTH CAROLINA, 1775-1861.

The Revolutionary conflict in North Carolina has three characteristics: the local conditions which opened the way for permanent separation from the mother country, the zealous activity of the patriot party, and the strength of the loyalists. These factors were so pronounced as to give North Carolina an unique place in the history of the Revolution, and around them may be grouped all the essential incidents in the struggle for independence.

Governor Martin's Administration.

In 1771 Josiah Martin, last colonial governor, began his administration. He was a plain, blunt, outspoken man, in sympathy with the oppressed, but his lack of tact and his military training unfitted him for mastery in the long-standing conflict between the Executive and colonial Assembly. Indeed three grave problems demanded immediate settle-

ment, and in trying to force a solution, Governor Martin lost control of the government and left the colony to its fate.

First of these was the question of finance. A special tax on polls and liquors had been levied for some time to meet certain emissions of paper currency. In 1771 the Assembly, learning that the paper had been liquidated, enacted a bill to stop the collection of the tax; the governor disallowed the bill and prorogued the Assembly; the controversy continued, culminating in the critical year 1774 when the Assembly, defying the governor, ordered the revenue officials not to levy the tax.

A second cause of controversy was the South Carolina boundary. In accordance with royal instructions Martin asked the Assembly for an appropriation to complete the boundary, the line to run in a northwest direction from the neighborhood of the Catawba River, but the North Carolinians desired the line to run directly west, and thus save a large amount of land for settlement. The Assembly therefore refused to make the appropriation called for, and when the governor established the line through an arbitrary commission, the Assembly, in 1775, refused to grant any money for payment.

More serious yet was the controversy over the court system. The laws establishing courts in the colony were made by the Assembly and were temporary, being renewed from time to time. The last law of 1768 was unusually effective; it introduced a foreign attachment clause, by which the property of foreigners and non-residents might be seized in payment of debts. Now Martin's instructions forbade the reënactment of this attachment provision without a clause referring its enforcement to the approval of the Crown. But the Assembly, in framing a new court law in 1773, insisted on the attach-

ment without a modifying clause. The Governor attempted to enforce his instructions. The result was a deadlock; the law of 1768 expired before a new one had been framed, and from 1773 to 1776 the colony was without a system of courts (except magistrates).

These controversies, revealing Governor Martin's inefficiency, opened the way for the Revolutionary movement. Sympathy with the grievances of other colonies had long been felt. Governor Tryon had prevented radical action during the Stamp Act excitement by refusing to call the Assembly; but in 1773 a committee of correspondence was formed, its principal members being John Harvey, Robert Howe, Cornelius Harnett, William Hooper, Richard Caswell, Joseph Hewes and Samuel Johnston. Early in 1774 the people of Wilmington and New Bern collected provisions to aid Boston, and in October of that year the ladies of Edenton, at a tea party, agreed not to drink tea or use goods brought from England. In order to prevent delegates being sent to the Continental Congress, Governor Martin decided not to convene the Assembly of 1774 until autumn. Learning of this, John Harvey and a few other patriots determined to take matters into their own hands. They held a meeting in Wilmington, and following its recommendation thirty counties sent delegates to the First Provincial Congress of North Carolina, which met at New Bern on Aug. 25, 1774. Three delegates to the Continental Congress were chosen—William Hooper, Joseph Hewes and Richard Caswell. Resolutions were adopted asserting the right of self-taxation, denouncing the British policy toward Massachusetts, and providing for non-intercourse with Great Britain. Also, in accord with the advice of the Congress, the freeholders of the several counties met and elected County Com-

mittees of Safety. Thus was formed an effective Revolutionary organization, which fixed prices, enforced non-intercourse, collected subscriptions, regulated the conduct of individuals, stirred the fire of protest and revolt and became the foundation of the Revolutionary movement.

Provincial Congress.

The next step in the Revolution was the meeting of the second Provincial Congress at New Bern, April, 1775. It is one of the most interesting bodies that ever met in North Carolina. Governor Martin had called a meeting of the Assembly for April 4; Harvey called the Congress for April 3; sixty-one of the sixty-eight members of the Assembly were also delegates to the Congress; John Harvey, speaker of the Assembly, was also president of the Congress. Often the Provincial Congress would be in session when the governor's secretary would be announced, and then Proteus-like, the Congress would change itself into the legislative Assembly and proceed to despatch public business. Governor Martin was embarrassed; he issued a proclamation against the Congress and ordered the Assembly to oppose the illegal gathering, but the Assembly replied by endorsing both provincial and continental congresses and arraigning the British Parliament. After four days' session the governor dissolved the Assembly; the members remained as delegates to the Congress, which now adopted the Association of the Continental Congress, reappointed delegates and asserted the right of petition.

Governor Martin, feeling that the tide was against him, collected a few cannon at the palace and opened negotiations with the Scotch at the upper Cape Fear and with General Gage. Vigilant eyes were upon him, and sometime in April, the Committee of New

Bern carried off the cannon; the next month the Governor left New Bern for Fort Johnston on the Cape Fear, and when the people of Wilmington, led by James Moore and John Ashe, seized the fort in July, they found that he had deserted it for a British man-of-war. Royal rule in North Carolina was really at an end; the Executive had left the seat of government for the protection of the British flag.

An Independent State.

In the meantime the local committees of safety in other parts of the colony were active. News of the battle of Lexington stimulated the revolutionary spirit. In two counties the sentiment voiced by the committees was radical, equal if not beyond that so far expressed in the whole country. On May 31 the Mecklenburg Committee at Charlotte adopted resolutions that, since the American colonies have been declared in a state of rebellion, the constitution of each colony is suspended, and that the provincial congresses under the Continental Congress have all executive, legislative and judicial power, and that the people of Mecklenburg county should fashion a form of government to last in full force and virtue until instructions from the provincial congress regulating the jurisprudence of the province shall provide otherwise, *or the legislative body of Great Britain resign its unjust and arbitrary pretentions* with respect to America. By declaring British authority *suspended,* the Mecklenburg Resolves took a very advanced step toward independence; moreover this attempt at a new form of local government was undertaken several days before the Provincial Congress of Massachusetts sought advice of the Continental Congress about a new government for that colony, and several months before Congress advised New Hampshire, South Carolina and Virginia to

form governments of their own; indeed at this time the Olive Branch Petition was being proposed and the North Carolina delegates in Congress therefore sent back advice to be a little more patient until Congress should take measures thought best, and the resolves were not printed in Philadelphia newspapers. These resolves of May 31 should not be confused with those of May 20, the so-called Mecklenburg Declaration of Independence. Another set of resolutions, adopted in New Hanover and Cumberland counties, declared that "We do unite ourselves under every tie of religion and honor, and associate ourselves as a band in her defense against every foe, hereby solemnly engaging that whenever our continental or provincial counsel shall decree it necessary, we will go forth and be ready to sacrifice our lives and fortunes to secure her freedom and safety."

This revolutionary propaganda was soon followed by military preparations and armed conflict. The third provincial congress which met at Hillsboro in August, 1775, established a provincial council, a temporary central organ to guard a colony deserted by its legal governor, instituted a military system and provided for finance. In the meantime events in the colony had attracted the attention of the British authorities and an invasion was planned. Sir Henry Clinton, from New York, and Lord Cornwallis, from England, were ordered to join Governor Martin and the loyalists at the mouth of the Cape Fear. Fortune and prompt action averted this great menace. In December the first regiment under Col. Robert Howe marched to Virginia and aided in the defeat of Lord Dunmore, who was rousing the Tories of that province; in the same month 900 men were sent to South Carolina on a similar errand. North Carolina was thus the first colony to send troops

beyond her borders for defense of the revolutionary cause. At home military achievement was no less worthy. The Scotch settlers on the upper Cape Fear, in the region of Fayettville, in answer to an appeal of Governor Martin, raised the royal standard in January, 1776, and two thousand strong prepared to join Governor Martin and the British. But they were intercepted on February 27 at Moore's Creek Bridge, eighteen miles from Wilmington, and defeated. This was the first victory won by an American force in the War of the Revolution. It strengthened the cause in North Carolina, disheartened the Tories, and when the British arrived on the coast a few weeks later they received so little sympathy that on June 1 they departed for Charleston, S. C.

In the flush of victory the North Carolina patriots made a most radical decision. On April 12, 1776, the fourth provincial congress in session at Halifax resolved that

"The delegates for this colony in the Continental Congress be empowered to concur with the delegates of the other colonies in declaring Independence, and forming foreign alliances, reserving to this colony the sole and exclusive right of forming a constitution and laws for this colony, and of appointing delegates from time to time (under the direction of a general representation thereof) to meet delegates of the other colonies for such purposes as shall be hereafter pointed out."

This was the first instruction for independence by any colony. It gives North Carolina patriots a high place in the history of the time.

The Congress then turned to the formation of a permanent frame of government and state constitution. Its efforts were not successful. Two factions appeared: one represented the ideals of radical democracy, demanding that all officers be chosen by the people, the other holding to the more conservative British forms of government. Both factions appealed to the people in the election for the Fifth

Congress. Though Samuel Johnston, leader of the conservatives, was defeated, many of his followers were elected and the constitution which was framed was conservative. Many features of the colonial constitution were preserved. Property qualifications were required for membership in both houses of the legislature, representation was apportioned according to counties, not population, and to vote for state senator fifty acres of land was a prerequisite. The legislature was supreme; it elected the governor and all state officers; its annual sessions were the only check on legislative tyranny.

North Carolina in Revolutionary War.

The high fervor that carried the colony into revolt and created an independent government, was followed by a period of reaction. "After the first outburst of local patriotism in the spring of 1776, the support of the cause as far as the people were concerned was purely compulsory." The state's quota in the continental line was never complete, and the militia were also recruited with difficulty. There were three causes of this apathy. First, most of those who had participated in the Regulation movement were neutral; they saw in the Revolution a continuation of the old control of the colony by the eastern counties; indeed the same men who led Tryon's army in 1771 commanded the patriots in 1776. Equally important was the influence of the Scotch, who had very recently settled on the Cape Fear. Having been loyal to the cause of monarchy, they sympathized with Governor Martin. Thus a large portion of the state was neutralized. Finally there was a cleavage within the patriot party, similar to the alignment in the formation of the constitution, and many conservatives, among them Samuel Johnston and William Hooper, retired from public

life and became luke-warm when the radicals, under Willie Jones, became important in state politics.

Yet the North Carolina patriots were directly concerned in some notable military achievements of the Revolution. They served with distinction at Brandywine and Germantown, and North Carolina troops composed most of the opposition to the British invasion of Georgia and South Carolina during 1778-1779; with the capture of Charleston in 1780, all of the North Carolina Continentals and considerable militia were captured. The way for invasion seemed open, the Tories also lifted their heads and Cornwallis promised to take advantage as soon as the harvest was gathered. For defense, the militia was the only reliance. Gen. Griffith Rutherford soon assembled 900 men at Charlotte, and with the aid of other militia leaders gave confidence by victories over the Tories at Ramsour's Mill (near Lincolnton, N. C.), Colson's Mill and Hanging Rock. During these activities in the summer of 1780, regulars from the Continental army arrived over whom Gen. Horatio Gates was given command. On August 16 occurred the disastrous battle of Camden; further resistance seemed impossible for Col. Patrick Ferguson, Cornwallis's able lieutenant, advanced as far north as Lincolnton, N. C., in pursuit of the patriot militia. Suddenly relief came from beyond the mountains. Alarmed at Ferguson's advance and his threats, the men of Watauga, 1,000 strong, started for the front. Learning of their approach Ferguson fell back to King's Mountain, and there his army was surrounded and defeated, and he himself was killed on October 7. The effect of the battle was to check Cornwallis's advance and to give time for the reorganization of the American army. This was accomplished by Gen. Nathaniel Greene, who took command at Charlotte in December. Soon

CAVALRY AT THE BATTLE OF GUILFORD.

he sent Gen. Daniel Morgan across the South Carolina line to collect supplies and to check the Tories. He met and defeated Tarleton at Cowpens on Jan. 17, 1781. Then began the famous Greene retreat, the withdrawal of Morgan, also of Greene, across North Carolina to the Virginia line, which culminated in the battle of Guilford Court House, and Cornwallis's retreat to Wilmington, eventually to Yorktown.

These campaigns were accompanied by a fratricidal conflict, a civil strife between the Tories and the Whigs. An interesting incident was the capture of Gov. Thomas Burke and his staff in 1781 at Hillsboro by David Fanning, a noted Tory leader. He was sent to Charleston for imprisonment, but he soon escaped, returned to North Carolina and resumed his duties as governor. In the same year the strength of the Tories was broken at the battle of Elizabethtown and by a campaign of Gen. Griffith Rutherford in the Cape Fear region. This enmity of Whig and Tory survived the Revolution and caused an extensive confiscation of loyalist property by the state government.

North Carolina's Attitude to the Federal Constitution.

The first political problem after the Revolution was that of the Federal constitution; indeed North Carolina has an unique place in the formation of the Union in being the last state, except Rhode Island, to ratify the constitution. For this hesitation there were various reasons. A strong sense of individualism, inherent in the people, bred indifference toward any central government whatever. Moreover, the old alignment of conservative and radical was still alive, and over the Federal constitution controversy was even more bitter than in 1776 over the state constitution. The radicals, under the leadership of Willie Jones, Rev. David Caldwell, Timothy

Bloodworth and others, feared a consolidated republic, claiming that the words "We the people" in the constitution should read "We the States," criticised the Federal judiciary, believing it would encroach upon the state courts, opposed Federal taxation, and demanded that a Bill of Rights should precede the constitution. On the other hand the Conservatives, led by James Iredell, Wm. R. Davie, Samuel Johnston and Richard Dobbs Spaight favored ratification, but the Constitutional Convention which met at Hillsboro in July, 1788, was controlled by the radicals or Anti-Federalists, failed to ratify the constitution, although ten states had done so, and recommended a Bill of Rights and twenty-six amendments. But public opinion soon began to change: New York ratified just after the North Carolina Convention closed, leaving this state and Rhode Island the only ones outside the Union. The people also realized that the friends of the constitution in North Carolina regarded it as a compact and the Federal government as an agent of the states; consequently a second Constitutional Convention at Fayetteville on Nov. 21, 1789, ratified the constitution after a stormy session.

A strong sense of state individualism, however, long prevailed and aroused the suspicion and hostility toward the measures of the central government. In Congress, Hugh Williamson led the opposition to assumption of state debts, and in western North Carolina opposition to the excise law was as effective as in Pennsylvania. In 1790 the House of Commons, excited over the assumption of state debts, refused to take an oath to support the constitution, and the Court of Equity refused to obey a writ of certiorari issued by the Federal District Court removing a case to the Supreme Court of the United States.

CAPITOL AT RALEIGH, 1794.

The general discontent which these incidents suggest caused a reaction to Anti-Federalism; in 1793 that party carried all the Congressional districts save one, and in the person of Nathaniel Macon, North Carolina Anti-Federalism had a prominent place in the councils of the party. Yet the milder type of Anti-Federalism and Federalist policies prevailed in North Carolina. In 1797 the Assembly, in which the Federalists had a majority, instructed the state's delegates in Congress to labor for the repeal of the Alien and Sedition Laws, while the succeeding Assembly, having an Anti-Federalist majority, failed to approve the Virginia-Kentucky Resolves. The year 1800 marks the beginning of the decline of the Federalists in North Carolina. An important factor in the Anti-Federalist victory was Joseph Gales and the newly founded Raleigh *Register*. But as long as the party lasted, the Federalists had a strong hold in the Fayetteville and Salisbury districts, and during the War of 1812 one of the most prominent anti-administration leaders of Congress was William Gaston, of Craven county.

Domestic Affairs.

Gradually domestic problems assumed importance. In 1788 Wake county was chosen the seat of government; in 1791 the city of Raleigh was laid off, and in 1794 the Assembly held its sessions in the new capitol. In 1810 a system of state banks was inaugurated. The cause of internal improvements became popular. In the last decade of the Eighteenth century bounties for iron manufactures were offered, and in 1790 the Dismal Swamp Canal, connecting the Pasquotank River with Elizabeth River in Virginia was chartered; although begun as a private enterprise, it was ultimately finished by state aid, and later the state took stock in various navi-

gation companies, whose aim was to improve rivers and harbors, but no step was made toward organized effort by the state until a Board of Internal Improvements was created in 1819. The need of better educational facilities was also felt; the constitution provided for "a school or schools" for the instruction of youth with salaries paid by the public, which shall enable them to instruct at low prices and for higher learning in one or more universities. The University of North Carolina was founded, but nothing was accomplished for public education, although various governors urged the cause and Archibald D. Murphy, in 1817, presented to the Assembly a comprehensive and searching educational report. Even more vital than these issues, and profoundly influencing them, was the cause of constitutional reform. The system of representation, which apportioned membership in the Assembly according to counties rather than population, fostered the old hostility of the eastern and western counties; for during the early years of the century those of the west so developed that they surpassed the east in population and wealth, but by virtue of a larger number of counties, the east controlled legislation. Gradually the two sections were divided on all important issues, the east opposing further aid to internal improvements and public education, the west demanding a progressive policy. In 1824, the year of national political ferment, the west supported Jackson, the east Crawford, for the presidency, but when, in 1828, the east adopted Jackson on account of his state's rights' principles, the west became lukewarm, and by 1832 was identified with the new Whig party.

New Constitution.

After prolonged agitation which threatened to rend the state, the western counties under the lead-

ership of David Lowry Swain and Willie P. Mangum forced the submission of reform to the people. In 1834, and in accordance with a popular but sectional vote, a constitutional convention met at Raleigh in 1835. In a series of amendments representation in the House of Commons was apportioned among counties according to their population, in the Senate according to districts formed according to taxes. The Assembly was robbed of much of its power by establishing biennial instead of annual sessions, and by giving the election of governor to the people. Free negroes were disfranchised, and largely through the efforts of William Gaston the 32d clause of the constitution, which excluded from public office those denying the truth of the Protestant religion, was made to read the *truth of the Christian religion.* These reforms were ratified by a sectional vote, all western counties giving a majority for the amendment, the eastern, except one, voting against it.

Whig Ascendency.

The leaders in the cause of constitutional reform were Whigs, and the succeeding fifteen years (1835 to 1850) marked the period of Whig ascendency. In national politics such able leaders as Mangum, William A. Graham and Geo. E. Badger kept North Carolina loyal to the party when the real interests of the South seemed to be with the Democrats, and brought into the state a sentiment of nationality which later opposed secession. The real explanation of the party's supremacy, however, was its identification with the cause of domestic progress. Three notable achievements were made under Whig leadership. Chief of these was the inauguration of a public school system.

Public Education.

In 1825 the Assembly provided for a literary fund to be used for educational purposes. By 1838 this amounted to $1,732,485. After a few appropriations had been made a revised school law was enacted in 1840, framed by Bartlett Yancey, which distributed the income among the counties according to Federal population, and empowered the county courts to supplement it by a local county tax. There were many difficulties; local taxation of the counties not being mandatory, many failed to give local support. Not until 1846 were schools established in all counties, and there was no attempt at organized educational administration until 1852, when Calvin H. Wiley was appointed Superintendent of Common Schools. In 1860, on the eve of the War of Secession, the sum of $255,641.12 was spent for public education, and throughout that conflict the schools were kept open and the literary fund was kept a sacred trust. With the failure of banks and the collapse after the war, the literary fund was lost.

During the same period (1840 to 1860) the number of male colleges increased from three to six, the foremost being, besides the University already established, Davidson, Wake Forest and Trinity; and the number of female colleges increased from one to thirteen.

Internal Improvements.

The Whig leaders adopted a more liberal policy toward internal improvements. Better transportation facilities were necessary, but the failure of earlier corporations and the state's investment in them aroused opposition to further state aid. A new period opened with the completion of the Wilmington and Weldon and Raleigh and Gaston lines in 1840, both lines being assisted by liberal state aid. The western counties were unsupplied, and in 1845

a failure of crops created a famine, although corn was rotting in the fields of the eastern counties. The Whig leaders, principally William A. Graham, John M. Morehead and William S. Ashe, urged the building of a road from the coast to the mountains; but the Democrats and the eastern counties, partly from the embarrassment of the existing roads and the state's investment in them, partly from old sectional feeling, opposed the movement. But in 1849, after a prolonged debate, the North Carolina Railroad Company was chartered, by vote of Mr. Graves, speaker of the Senate, a Democrat, the state guaranteeing two-fifths of the capital stock. In a few years the road was completed from Goldsboro to Charlotte, and an extension toward Asheville was begun, while the Atlantic and North Carolina road was built to connect Goldsboro and the coast. The enterprise proved a success financially, while socially it was of great service, doing much to abolish the old hostility of the eastern and western counties.

Charities.

The domestic policy of the Whig party was also pervaded by a humanitarian spirit. In 1845 the Institution for the Deaf, Dumb and Blind was founded, and in 1849, largely through the appeal of Dorothea Dix and James C. Dobbin, the Assembly established the present Central Asylum for the Insane at Raleigh. In 1848, also, the right of married women before the common law was amended by a statutory provision that maiden lands of wives should not be liable to execution for the husband's debts, and that no man could sell his wife's property without her consent, given in presence of witnesses.

Whigs Defeated.

Notwithstanding this program of progress, the Whig party lost its supremacy in 1850. For this

there were two causes, one local and one national. The constitutional reforms in 1835 had made taxes the basis of membership in the Senate, and had preserved the property qualification as a requisite to vote for state senators. In 1848 David S. Reid, Democratic candidate for governor, through the advice of Stephen A. Douglas, made manhood suffrage the issue of his campaign, demanding the abolition of the property qualification and an apportionment of senators according to Federal population. Though defeated in 1848, Reid and also a Democratic Assembly were elected in 1850, but on account of obstruction by the Whigs the proposed reform did not pass the Assembly until 1854, and was ratified by the people the following year.

Slavery.

In addition to the local issue, a division in national policy toward slavery was fatal to the Whigs. In discussion of the proposed Wilmot Proviso, which excluded slavery from the territory acquired from Mexico, George E. Badger, in the Senate of the United States, admitted the right, though doubting the expediency of Congress, to exclude slavery from territories and denied the right of a state to secede from the Union; while Thomas L. Clingman, a Whig leader of the western counties, in a letter to Mr. Foote, of Mississippi, declared that the policy of exclusion would be revolutionary and leaned toward secession as a means of protection for the South. The North Carolina Whigs, however, supported the Compromise of 1850, but in 1852 an irreparable schism developed. Mr. Clingman favored the nomination of Millard Fillmore for the Presidency, and when General Scott was nominated he left the party, declaring that it had been captured by the abolitionists, and supported Franklin Pierce, the Democratic

candidate. This defection was fatal, for although the Whigs nominated William A. Graham for the vice-presidency, the electoral vote of North Carolina showed a majority for Pierce. Thus, after years of service, the Whig party lost control of local and national political issues in North Carolina. Some of its members joined the short-lived Know Nothing party; among these were John A. Gilmer and Kenneth Raynor, both prominent in the Know Nothing movement.

Toward the slavery question and the agitation which resulted in secession, North Carolina's attitude was conservative. For this there were various reasons. The small farm and the middle class planter being the dominant factors in industry, the milder type of slavery prevailed and the slave system never secured so strong a hold on the life of the people as in most other Southern states. Moreover, in the middle and western counties, there was a strong anti-slavery sentiment. These counties had been settled by Scotch-Irish, Germans and Quakers, and slavery had far less hold than in the east. Illustrative of this sentiment were Hinton Rowan Helper, Benjamin S. Hedrick, Daniel R. Goodloe, men who opposed slavery in the interest of the whites rather than the negroes. Indeed, in spite of the intense political controversy over slavery, there seems to have been a steady undercurrent of feeling among thinking people that sooner or later the institution must end.

Therefore, sympathy with other states and the logic of events, rather than personal grievances, led North Carolina into the Confederacy. Although secession had been advocated by political leaders, notably Thomas L. Clingman and William W. Holden, the principle made no headway among the people until 1857. Then the publication of Helper's

Impending Crisis and John Brown's raid aroused public sentiment. Possession of Helper's book at once became a political crime, and sympathy for Virginia was expressed. The Council of State adopted resolutions threatening a new form of government unless slave property was protected. Public meetings were held in various counties that expressed defiance to the North and to abolition. In one year secession sentiment had grown more than in all the preceding ones, and a secession party, small but active, had come into existence.

The rising tide of secession and proslavery sentiment at once met strong opposition. In 1858 John W. Ellis, a states-rights Democrat, received the nomination of his party for governor. He was opposed by Duncan K. McRae, Independent, who sought to turn the people's mind from slavery to economic development and education. Though Ellis was victorious, McRae received a large vote, and W. W. Holden, disappointed at the nomination of Ellis, now drifted from the radicals to conservatism. Two years later opposition to slavery agitation and secession was even stronger. The Whig party revived, nominated John Pool for governor, ridiculed secession in its convention, and on a local issue, advalorem slave taxation, sought to divert the people from slavery questions. The Democrats renominated Ellis, and incorporated a strong states-rights clause in their platform. In the campaign Ellis in vain tried to arouse the people on the national question. He was forced to face the local issue; by adroit argument he won the fight, but the Democratic majority was reduced to 10,000 below that of 1858, though the vote was the largest ever polled in the state. Clearly the conservatism of the people made them hesitate to endorse radical views regarding slavery and secession.

The election of Lincoln gave new life to secession agitation. Public meetings were held in the interest of secession, and in the Assembly which met in November, 1860, resolutions asserting and denying the right of secession were introduced, but neither were adopted. The secessionists demanded the call of a state convention to consider Federal relations, and after prolonged discussion in the Assembly and throughout the state on Jan. 30, 1861, both factions agreed to submit to the people the question of a convention whose work, if called, should be ratified by the people, while the election of delegates was to be held at the same time. The vote was cast on February 28; by a majority of 651 the call of a convention was rejected, and the majority of the delegates elected were Union men. The conservatism of the people was greater than that of their leaders. But the efforts of the secessionists did not abate and the trend of events soon favored them. The fall of Fort Sumter and a request by the secretary of war for two regiments of troops from North Carolina were decisive. Even the Union newspapers and leaders gave up the fight. Governor Ellis called a special session of the Assembly which met on May 1, 1861. A state convention with unlimited powers was ordered, and preparations were made for war. Public sentiment had quickly changed; there was no opposition to military activity, to the convention or to separation from the Union. The social bond was stronger than the political bond; in the critical hour, the choice of North Carolina was to fight with sister states, although conservative political sentiment and love of the Union had heretofore been supreme.

Secession.

There remained one final problem, viz.: the manner of withdrawal from the Union. In the conven-

tion which assembled at Raleigh on May 20, there were two distinct factions—one dominated by the principles of the old Whig party, the other representing the opinion of the advanced Democracy. In the preliminary test of strength the latter element proved supreme, Weldon N. Edwards being chosen president over William A. Graham. Two sets of resolutions looking to the withdrawal from the Union were then offered—one by George E. Badger providing for separation by means of revolution, without mentioning secession in its applied meaning; the other framed by Judah P. Benjamin, introduced by Burton Craige, based on the idea of constitutional secession, abrogated and rescinded the ordinance of the convention by which North Carolina had ratified the constitution of the United States in 1789. Mr. Badger's resolutions were rejected, and after a test vote those of Mr. Craige were unanimously adopted, the Whigs and Conservatives sacrificing their political convictions in the interest of a great cause. Thus on May 20, 1861, North Carolina left the Union.

BIBLIOGRAPHY.—Moore's *History of North Carolina* (2 vols., 1880) is the only book that covers the entire period of this chapter, is very incomplete and must be supplemented by other studies. For the Revolution, Colonial and State Records (Vols. X.–XXIV.) are an invaluable repository of documents; Ashe, *History of North Carolina* (Vol. I., 1908) is written close to the sources; Sykes, *Transition from Colony to Commonwealth* (Johns Hopkins Studies); Hoyt, *Mecklenburg Declaration of Independence* (1906) and Schenck, *North Carolina* 1780–81 (1888) are useful studies, while Caruthers, *Old North State* (1854, second series 1856) contains illustrative material derived from legend and tradition. Political history from 1789–1861 is well outlined in Wagstaff's *States Rights and Political Parties in North Carolina* (Johns Hopkins Press).

Contributions to social history are Weaver, *History of Internal Improvements in North Carolina* (Johns Hopkins Press); Bassett, *Slavery in North Carolina and Anti-Slavery* (Ibid) Weeks, *History of the Common School System in the South* (U. S. Bureau of Education) and Coon, *Documentary History of Education in North Carolina* (N. C. Historical Commission).

WILLIAM K. BOYD,

Professor of History, Trinity College, N. C.

Chapter IV.

NORTH CAROLINA IN THE CONFEDERACY, 1861-1865.

North Carolina Joins the Confederacy.

The question whether North Carolina desired to call a convention to consider secession was submitted by the legislature to the people in January, 1861. The vote on the Referendum was held February 28, and resulted in a majority of 651 against the call of the convention. But events marched rapidly. The failure of the Peace Convention, to which the state sent, as her delegates, ex-Chief Justice Thomas Ruffin, ex-Governors Morehead and Reid, Daniel M. Barringer and George Davis, was followed in rapid succession by the firing on Fort Sumter, the call of President Lincoln for troops and the secession of Virginia. The issue had come to be not whether the state would secede, but whether the people would fight on the side of their neighbors and kindred of the South, or against them. On that issue there could be no division or hesitation.

The legislature, called in special session by the governor, met on May 1. In two hours after its assembling it ordered another Referendum for May 17 on the question of calling a convention, the convention to assemble, if voted, on May 20. The convention was voted by a large majority. On its assembling May 20, the convention, composed of many of the ablest men of the state, by a unanimous vote repealed the act of November, 1789, by which North Carolina had acceded to the Federal Union, and declared the state to be no longer one of the United States. A subsequent resolution declared the acces-

sion of the state to the Confederate States, by whose congress it was accepted as a member a week later, on May 27.

Preparing for War.

But before the convention met, the state was preparing for the war that had become inevitable. On April 15, Governor Ellis had replied to the call of the United States authorities for two regiments, "You can get no troops from North Carolina." The governor immediately issued the call for the legislature to meet in session May 1, and under his orders the state troops seized the forts on our coast and the United States arsenal at Fayetteville on April 16. He also called for volunteers, and formed a camp of instruction at Raleigh under Col. D. H. Hill that the new troops might be trained and disciplined.

The legislature, without waiting for the assembling of the convention, directed the governor to enroll 20,000 volunteers for twelve months and 10,000 state troops for the war, the former to elect their own officers. The officers of the state troops were appointed by the governor. The legislature also voted $5,000,000 for the public defense, and authorized the governor to send troops to Virginia to aid in the defense of that state. The First Regiment N. C. Volunteers, later known as the "Bethel" Regiment, was speedily organized with D. H. Hill (later lieutenant-general) as its colonel, and proceeded to Virginia, three companies arriving at Richmond May 18, and the other seven companies on May 21. On June 10 this regiment was at the battle of Bethel. As Virginia did not secede till May 17, and her troops were not turned over to the Confederacy till June 7, for several days the North Carolina soldiers were in Virginia simply as allies.

The enthusiasm was universal, and at the time

public sentiment was as unanimous for secession as the expression of the convention had been.

James G. Martin, an old army officer who had served in Mexico and had lost an arm at Cherubusco, was appointed Adjutant-General by the state, and he pressed the organization of the troops and the collection of arms and war material with zeal and intelligence. In seven months the state had raised, equipped and turned over to the Confederacy 40,000 troops. Within a year, by May, 1862, the state had nearly 60,000 men under arms. The total number of soldiers, of all kinds, which the state had in service during the war was 129,000, besides 5,000 Home-guards, being, doubtless, the largest number furnished by any state in the Confederacy.*

The most serious difficulty at first was the want of arms and war material. The state, when it seized the United States arsenal at Fayetteville, found there 30,000 muskets, most of them in poor condition, and a very large proportion flint and steel. They were converted into percussion muskets as rapidly as the scarcity of workmen permitted. There were also found in the arsenal six cannon and a large quantity of powder. Four more cannon came from the military schools of Colonel Tew at Hillsboro and Major Hill at Charlotte. With such equipment North Carolina entered into one of the greatest wars in history. As fast as workmen could be found or educated, factories were started for the manufacture of swords, bayonets, muskets, percussion caps, powder, cartridges and cartridge boxes, belts and other equipment, as well as clothing, caps and shoes, and other supplies for the army. But such were the zeal of the people and the rapidity of volunteering, that some regiments were sent to Virginia partly armed with shotguns, "buck and ball" ammunition,

*Clark's *North Carolina Regimental Histories.*

and some unarmed altogether. Artillery companies were also hurried to the front without cannon or horses. The deficiency of arms was soon largely supplied by captures made at Manassas and other victories, supplemented by the arms and ammunition made in the armories of the state and of the Confederacy, and also by some importations by the state, from time to time, through the port of Wilmington.

A clothing factory for the troops was started by the state at Raleigh, and all the cloth product of the cotton mills of the state was called for. Many blankets, quilts, comforts and carpets were contributed by the patriotic women of the state. The carpets cut up and lined served fairly well for blankets. But captures from time to time of the enemies' stores were an indispensable aid in supplying the deficiencies in clothing, as well as in arms and equipment.

The quartermaster and commissary departments were organized efficiently and well officered. The state bought the steamer *Ad-Vance,* which, under Capt. Thomas M. Crossen, ran the blockade twelve times bringing in goods, arms and ammunition, with the result that North Carolina troops were not only the best clothed and equipped troops in the Confederacy, but the state was often able to assist the Confederacy from its surplus of arms and stores. The state bought up 100,000 bbls. resin and 11,000 bales of cotton, which it shipped out to be exchanged for whatever it most needed. Among the stores thus brought in by the *Ad-Vance* and other blockade runners for this state were 250,000 pairs shoes, 250,000 suits of uniform, 50,000 blankets, 12,000 overcoats, 60,000 pairs of cotton cards, 5,000 sacks coffee for the hospitals, besides medicines, machinery, arms, ammunition and other supplies. Up to March,

1864, North Carolina had received $6,000,000 from the Confederacy for the supply of such articles, in excess of its own needs, which it had turned over, besides stores of great value furnished to the Confederate government without charge. Besides clothing its own troops, North Carolina, in the winter after Chickamauga, sent 14,000 suits of uniform to Longstreet's corps in the western army. And Dr. Thomas D. Hogg, the head of the state commissary department, reported to Governor Vance during the last months of the war that he was feeding half of Lee's army, doing so in part with provisions brought through the blockade, especially bacon.*

Governor Vance.

John W. Ellis, who was governor at the outbreak of the war, died July 7, 1861, at Red Sulphur Springs, Va., whither he had gone on account of his health, and was succeeded by the speaker of the senate, Henry T. Clark, of Edgecombe. In August, 1862, Col. Zebulon B. Vance, of the Twenty-sixth N. C. Regiment, formerly a member of the United States Congress, was elected governor over William Johnston. He took the oath of office the following month, and discharged its duties with signal ability till the close of the war.

The War in 1861.

The first battle of the war was fought June 10, 1861, at Bethel on the Peninsula in Virginia, between Yorktown and Hampton. The Confederate force consisted of the First N. C. Volunteers, 800 men, under Col. D. H. Hill, and 600 Virginians of different commands. They were attacked by 4,500 troops under Gen. E. W. Pierce of B. F. Butler's

*Governor Vance's speech "North Carolina's Record" at White Sulphur Springs, Va., Aug. 18, 1875, reprinted 5 Clark's *North Carolina Regiments*, 463.

command, which had been sent out from Fortress Monroe. The Federals were repulsed, losing eighteen killed and fifty-three wounded. The Confederates had nine men wounded and one killed. The latter, Henry L. Wyatt, of the Edgecombe Guards in the N. C. Regiment, but a native of Virginia, was the first Southern soldier killed in battle during that great struggle.*

The effect of the victory in the first battle, at Bethel, was electric, and aroused the South to fever heat. Volunteers poured in on all sides and contributions of all kinds for the army were sent to the authorities. Six weeks later on July 21, 1861, came another victory, that of Bull Run, or First Manassas, and the South went wild. The victory was not utilized by the capture of Washington, which might have been entered on the heels of the fugitive Federal army. The chief, if not the only, benefit reaped from the victory by the South was the arms and stores captured. This was more than offset by the resultant overconfidence in the South, and the determination with which the North settled down to a long struggle.

On the North Carolina coast the state had taken possession of Fort Caswell at the mouth of the Cape Fear, of Fort Macon at Beaufort, and had erected fortifications at Hatteras and Ocracoke Inlets and on Roanoke Island. It also owned four little gunboats mounting one gun each, known as the "mosquito fleet." These little vessels occasionally slipped out through the inlets and picked up merchant ships when the Federal war vessels were not too near. In six weeks eight schooners, seven barks and one brig were thus captured. The United States

*Captain Marr of Virginia, it is true, had been previously killed on the sidewalk in Warrenton, Va., as the enemy's cavalry dashed through the town, but he was not on duty, and there was no battle. There were no troops in the town to oppose the raiders.

authorities, in considering the best method to stop these sallies upon their commerce, had their attention drawn to the advantage of taking possession of the sounds of North Carolina and the adjacent territory, both because it was a rich granary of food supplies and would also be a back door for the capture of Norfolk.

Accordingly, in August, 1861, Gen. B. F. Butler sailed with a large fleet, mounting 143 long range cannon, for the capture of Fort Hatteras. The latter mounted twelve old-fashioned, smooth bore, short range guns, while Fort Clark, across the Inlet, had seven of like calibre. Not one of the guns in the two forts could reach the Federal fleet, which lay off out of range and raked the forts at will with their long range missiles. The result was the surrender of the forts with 670 men and 1,000 muskets. The whole of eastern North Carolina was thus laid open. The captured troops were taken North on the fleet, but were soon exchanged and sent home.

Other troops were raised by the state, but arms were lacking. A regiment armed with squirrel rifles and butcher knives was sent to Roanoke Island with antiquated cannon mounted on the front wheels of farm wagons, drawn by farm mules in their plow harness. Roanoke Island was untenable, for the Federal fleet could sail up the channel on either side and take the fortifications in flank. The only supporting fleet with the Southern forces was the mosquito fleet of 9 canal boats mounting one gun each. There being no coal obtainable, the crews went ashore from time to time to cut green wood for the boilers.

The War in 1862.

Against such preparations the Federal government, in 1862, sent a fleet of eighty vessels, mounting sixty-one guns and carrying, besides the full com-

plement of sailors, 15,000 well-equipped and disciplined troops, under Burnside. Against these, North Carolina had placed at New Bern seven newly raised regiments, under Brig.-Gen. L. O'B. Branch, and two of like kind at Roanoke Island under Col. H. M. Shaw. Both of these commanders were brave men who subsequently lost their lives in the Confederate service, but they were, like their men, without military experience. Both had been recently members of the United States Congress.

The Confederacy was not able to spare any troops from Virginia. Possibly some might have been sent from those around Charleston, but none came. On Feb. 7, 1862, the Federal fleet appeared before Roanoke Island. The troops were landed, and the next day the attack was made by land and water. A gallant defense was made, but in the face of such odds only one result was possible, and all the troops which could not be withdrawn were captured. The enemy's vessels pursued the mosquito fleet, which was all captured or blown up to avoid falling into hands of the enemy. Elizabeth City and Edenton, with the country bordering upon Albemarle Sound, passed into the control of the Federals, who held it for the remainder of the war. Winton was burnt and Plymouth occupied by them.

General Burnside then returned to Pamlico Sound. He landed his troops below New Bern and, March 14, 1862, assaulted the Confederate works at that place, which was held by General Branch with 4,000 men, including militia. The right wing was repulsed notwithstanding the aid of the fire from the fleet, but the left wing, penetrating through an unoccupied gap, turned the flank of the militia. The troops were then withdrawn and New Bern abandoned. The Confederates lost 165 killed and wounded, and 413 prisoners. The Federals lost 470 in all.

On April 25 Fort Macon, surrounded by the Federal fleet and army, was surrendered after a vigorous bombardment. Pamlico Sound and the adjacent country, including New Bern, Beaufort and Washington, N. C., remained henceforth in Federal possession.

In May, 1862, Norfolk was evacuated, and the Confederate army retired before McClellan's advance from Yorktown to the gates of Richmond. In the latter part of June occurred the famous Seven Days' Battles, which drove the Federal army to the shelter of its fleet at Harrison's Landing, with the loss of fifty-two cannon, 27,000 muskets, 10,000 prisoners and vast quantities of stores. But the loss of the Confederates, who were the assaulting party throughout, was more than 20 per cent. larger than that of the Federal army in killed and wounded. This was largely borne by North Carolina, which furnished thirty-six of the 174 Confederate regiments engaged. Of the 3,279 Confederate dead, 650 were from North Carolina and 3,279 of the 15,851 wounded—more than one-fifth.

Then followed the victorious march to Cedar Mountain and Second Manassas, the first Maryland campaign, Sharpsburg and the victory at Fredericksburg. In these the state suffered heavily in officers and men, including Generals Branch and Anderson, both killed at Sharpsburg. At Fredericksburg the Confederate loss was 5,322, of which 1,467, almost one-third, fell upon North Carolina regiments.

The War in 1863.

In December, 1862, about the time of the Fredericksburg battle, General Foster made an advance from New Bern. He penetrated to near Goldsboro, burning the railroad bridge south of that town, but was speedily driven back with loss. In the spring

of 1863, the Confederates returned the compliment and threatened Plymouth, Washington, N. C., and New Bern, but were called off by the necessity of sending reënforcements to Lee, who confronted Hooker and 133,000 Federals who had crossed the Rappahannock. At Chancellorsville, where Jackson fell, North Carolina furnished twenty-four of the 120 regiments engaged, or one-fifth, but her loss was more than one-third of the Confederate killed—557 out of 1,581, and more than one-fourth of the wounded—2,394 out of 8,700.

Then followed Gettysburg, where, in the famous charge of the third day, the North Carolina dead were found nearest the enemy's line. The official report shows 15,301 Confederates killed and wounded, of which number 4,033, or considerably more than one-fourth, were from North Carolina. The heaviest loss in any one regiment in the battle, or, indeed, in any battle during the war, was in the Twenty-sixth North Carolina, which lost 588 out of 800 present, or 73 per cent. No brigade in Pickett's division lost as many killed as this one regiment. Of the 2,592 Confederates killed at Gettysburg, 770 were North Carolinians, 435 Georgians, 399 Virginians, 258 Mississippians, 217 South Carolinians and 204 Alabamians. "Dead men tell no tales" is not true of a battle.

In the Army of the West, North Carolina had nine regiments which rendered efficient service. They especially distinguished themselves at Chickamauga, as did Clingman's Brigade at Battery Wagner, at Charleston, where it lost 412 men in the summer of 1863.

The War in 1864.

On April 20, 1864, Gen. Robert F. Hoke captured Plymouth with the aid of the ironclad *Albemarle,* which came down the Roanoke. The enemy there-

upon burned and evacuated Washington, N. C. In October following, the *Albemarle* while anchored at Plymouth was sunk by a torpedo attack made at night by Lieutenant Cushing of the United States Navy, and the town was soon recaptured by the enemy. Upon the capture of Plymouth, General Hoke moved against New Bern, but was called off and reached Petersburg just in time to prevent the capture of that city by Butler.

At the Wilderness in May, 1864, thirty-four North Carolina regiments were in the army which faced Grant, besides those around Petersburg. In the winter of 1864-5, North Carolina had in Virginia fifty-nine regiments, two battalions and seven batteries, composing thirteen brigades. They sustained heavy loss in the almost continuous fighting up to the surrender at Appomattox. Of these troops, eighteen regiments were in the army under Early, were in the sight of the Federal capitol and contested the valley of Virginia at Winchester, Cedar Creek and Fisher's Hill. The troops of this state were nearly one-fourth of those who held the lines around Petersburg and Richmond for so many months. In addition, there were the North Carolina regiments in the western army and those in this state, at Wilmington and elsewhere. At Appomattox there were surrendered forty-nine regiments, two battalions and six batteries, or what was left of them.

The War in 1865.

In December, 1864, Gen. B. F. Butler, with a Federal fleet and army, assaulted Fort Fisher, near Wilmington, but was driven back. In January, 1865, the attack was renewed under Admiral Porter and General Terry, who were successful in a land attack after sixty vessels, mounting 600 guns, had battered the Fort for two days. The Confederate

forces in this state were reënforced in January, 1865, by General Hoke with four brigades detached from the army in Virginia. General Schofield, advancing from New Bern, met with a check at Southwest Creek, near Kinston, on March 8, 1865, but the advance of Sherman from South Carolina caused the Confederate forces to fall back to Smithfield, where they united with the fragments of the western army under Joseph E. Johnston, and on three memorable days, March 19, 20 and 21, drove back Sherman's army at Bentonville. Sherman withdrew to Goldsboro. Learning of Lee's surrender, Gen. Joseph E. Johnston began his retreat on April 10, passed through Raleigh April 13, and surrendered, when all hope was lost, at Greensboro on April 26. On May 2 the army was paroled and dispersed to their homes.

During the latter part of the war the western part of the state was subjected to raids from the Federal troops in eastern Tennessee, as well as by banded deserters from all parts of the Confederacy, who had taken to the mountains. About 1865 General Stoneman made a raid through that section. The last battle east of the Mississippi was fought at Waynesville, N. C., on May 9, 1865. The Confederate troops engaged, five North Carolina regiments and two batteries, surrendered the next day.

To the Confederate navy, besides its full share of men and officers, the state contributed J. W. Cooke, commander of the *Albemarle,* J. N. Maffit of the *Florida,* and James Iredell Waddell of the *Shenandoah,* which carried the Confederate flag around the world and did not surrender till Nov. 6, 1865.

Conclusion.

Notwithstanding the state's contribution of supplies to Lee's army, Gen. Joseph E. Johnston stated

to Governor Vance that when he surrendered he had five months' supplies for 60,000 men which had been gathered in this state, though Lee's army had been fed for several months almost entirely from North Carolina.

Governor Vance, besides looking after the welfare of the troops, imported 60,000 pairs hand cards, 10,000 grain scythes, 200 barrels of blue stone (for wheat growers), besides large quantities of machinery, lubricating oil, and supplies for the charitable institutions of the state. He also procured supplies of salt at the state salt works. It was this care for the soldiery, and the destitute at home as well, which gave him a hold on the affections of the state which nothing could shake.

The records show that North Carolina furnished to the Confederacy 128,905 men—exclusive of the Home Guards—probably a fifth of the whole number in the service. The official records show, also, that this state lost 42,000 men killed or died in service—by much the largest number from any Southern state. Of these, 19,673 were killed in battle or died of wounds.*

The heavy losses sustained by this state, and the destitution among the women and children in 1864, caused dissatisfaction in certain sections, which was utilized by W. W. Holden, who was a candidate against Governor Vance in the campaign of 1864, but Vance was successful by an overwhelming majority.

Governor Vance's Letter Book shows that while he was a staunch and most efficient supporter of the Confederate cause, which he aided with every available man and all the means at his command, he sturdily differed with President Davis as to many of his methods. He complained to the President that

*Fox's *Regimental Losses*, 554.

while North Carolina had been lavish in furnishing men and supplies, she had not been as liberally recognized by the Confederate government, and when a citizen of another state was sent here to be put at the head of the conscript bureau, he promptly and persistently insisted on his removal. In 1864 Hon. George Davis, of North Carolina, became attorney-general in the Confederate cabinet.

North Carolina lost three of her seven major-generals killed in battle—Pender, Ramseur and Whiting; and six of her twenty-six brigadier-generals—Branch, Anderson, Pettigrew, Daniel, Gordon and Godwin. The others, with scarcely an exception, were wounded. The list of the colonels and other officers killed is in the same heavy proportion as the loss among her rank and file.

After the war was over, the Confederate soldiers in North Carolina composed the vast majority of the surviving manhood of the state. Unawed by the garrisons of the victorious army and unseduced, they took their stand for Anglo-Saxon supremacy and saved the South from the fate of Hayti and the West Indies. They built up the waste places, broke up the soil anew to the plow, they laid railroad tracks into new sections and relaid those that had been worn out. They taxed themselves to educate the new generation, without regard to color, and to provide for the worn-out and disabled Confederates, to whom the general government dispensed no aid, though the South was taxed for the care of the Federal disabled. While doing these things they were carrying on a desperate struggle to drive off the carpet-bag adventurers from the North, who, joining with a few native scallawags, were utilizing the prejudices and ignorance of the negro vote in a system of organized and unprecedented plunder. Literally, like the frontiersmen of colonial days, or the

Hebrews when rebuilding the walls of Jerusalem, the workman labored with his arms at hand.

BIBLIOGRAPHY—Fox's *Regimental Losses*, Official Records Union and Confederate Armies; Hill's *History of North Carolina; Moore's History of North Carolina*, Vol. II; Clark's *North Carolina Regimental Histories*; Governor Vance's Speech "North Carolina's Record" at White Sulphur Springs, Va., Aug. 18, 1875; Governor's *Letter Books* North Carolina, 1861-5.

WALTER CLARK,
Chief Justice Supreme Court, State of North Carolina.

CHAPTER V.

NORTH CAROLINA, FROM 1865 TO THE PRESENT TIME.

Reconstruction.

On April 13, 1865, the Union army under General Sherman entered Raleigh, and the keys of the capitol were surrendered by ex-Gov. David L. Swain, president of the University of North Carolina, acting under the directions of Governor Vance, who had retreated westward with Gen. Robert F. Hoke's command. When General Schofield reached Greensboro, Governor Vance wished to surrender to him, but was advised by the general to go home and remain there quietly. This he did, but on May 14 he was arrested and, after being carried to Washington, confined in Old Capitol Prison. The state by this time was entirely under the control of the military forces of the United States, and the civil government of the commonwealth had ceased to exist. In its place was military government with General Schofield in command. His administration, which lasted until the end of June, was as acceptable to the people

as was possible under the circumstances, and was so successful that peace and good order was rapidly restored and, according to General Schofield, the presence of troops rendered unnecessary. He was very anxious to be provisional governor of the state, and under him restoration would have been very rapid, but President Johnson had other plans in mind. After consultation with a number of people from North Carolina, he had appointed William W. Holden, the editor of the *Standard* and the leader of the peace movement during the war. Until 1858 he had been the most influential man in the Democratic party, and was probably the most extreme secessionist in the state. In that year he was defeated for the gubernatorial nomination, and from that time was gradually estranged from the party and began to take the position of a strong Unionist. As the war approached he was very bitter in his opposition, but changed in time to sign the secession ordinance and become a strong advocate of the prosecution of the war. By 1862 he was lukewarm to the cause and in 1863 was heading a movement for peace. Defeated by Vance for governor in 1864, he was discredited in the eyes of most of the people. The old Whigs hated him as bitterly as the Democrats, for he had deserted them in 1843 and had been largely responsible for their downfall in 1850. In view of his past record, a more unsuitable person could scarcely have been selected for the responsible post he was now called on to fill.

Johnson's Plan of Reorganization; Governor Holden.

Acting in accordance with the President's proclamations, Governor Holden organized the provisional government of the state and called a convention of the people which met on October 2. Edwin G. Reade was chosen president and the temper of

the convention was clearly conciliatory. Ordinances were at once passed declaring the secession ordinance null and void, abolishing slavery and declaring all state offices vacant as a preparation for reorganization. No action would have been taken in regard to the state debt if Governor Holden had not got from the President what was practically a command for the passage of an ordinance of repudiation. This was passed, and after providing for the election of state and county officers, members of Congress and members of the General Assembly, the convention adjourned until the following spring.

Governor Worth.

Governor Holden's part in securing repudiation and his attempt to build up a machine in his own interest through his influence in securing pardons had increased the number of those opposed to him, and, in consequence, when the election for governor approached, Jonathan Worth, an old Whig with a clearer Union record than Holden's, who had seen long service in the General Assembly and as state treasurer during the war, and who was then provisional treasurer, was brought out against him and elected by a majority of over 6,000. Holden attempted to stamp his opponent as a "rebel" and as the representative of the secessionists, and so far succeeded that he was not allowed to take up the reins of government until January, 1866. In the meantime the General Assembly met and elected William A. Graham and John Pool to the United States Senate. Like the members of Congress who had been chosen at the preceding election, they were denied their seats, and the first definite check was thus given the President's plan of restoration.

Owing to this condition of affairs nothing could be accomplished in the way of economic improve-

ment. Labor conditions were particularly chaotic, not only because of the unsettled condition of political affairs and the natural tendency on the part of the negroes to take advantage of their freedom to refuse to work, but also because of the interference of the Freedmen's Bureau. This institution accomplished much for the relief of the destitute and suffering, but it was productive of much harm through the attempts of its officers to array the negroes against the whites and to arouse them to political activity. These officers, so far as was the case in North Carolina, were, in the main, tactless, prejudiced, dishonest and incompetent, and their influence was of the worst kind. The courts were subject to constant interference by the Bureau officials, and it became a matter of impossibility to punish a negro criminal. White men were arrested on the most trivial charges, which were more than often false, and were subjected to severe and humiliating punishments. A contempt for courts was thus bred and was followed by a contempt for law and order among the negroes and among many of the whites. This was not the least of the evils of Reconstruction. The Bureau officers defended their action by many accounts of the injustice which the negroes received from their former owners, but these were distortions of fact. The legislature of 1865-66 adopted the report of a special committee which recognized the citizenship of the negro and gave him practical equality with the white race before the law. At the beginning of the period there was a disposition on the part of the white people to live peaceably with the negroes and to protect them from injustice. But there was a firm belief that the negro was not prepared for political privileges and that he still needed restraint, and this opinion has not been substantially altered in the years that have elapsed.

New Constitution.

In 1866 Governor Worth was reëlected over Alfred Dockery by a majority of over 23,000. The convention, in the meantime, had held a second session and submitted to the people a new constitution differing but little from the old one. The most important alteration was the change from federal to white population as the basis of representation. On account of the doubt in the minds of many as to the validity of the convention, and largely through the influence of former Chief Justice Ruffin, the constitution was rejected by the people. The main issue of the campaign was the question of the ratification of the Fourteenth amendment, which had shortly before been submitted to the states. When the legislature met, it was rejected by a large majority, only eleven votes being cast in both houses in its favor. This, however, was a larger vote than it received in any Southern state except Tennessee, where it was ratified.

In the meantime Mr. Holden and others were active in the organization of an opposition which was to be the nucleus of the Republican Party in the state. The economic and financial prostration of the state materially assisted in this, and in the West, always jealous of the East and since the war possessed of an additional cause of hostility, additional strength was found.

Reconstruction Acts.

The result of the election of 1866 gave Congress a new impulse and a new confidence, and the result was the passage of the reconstruction acts of 1867. Under these North Carolina became a part of the second military district under the command of Gen. Daniel E. Sickles. General Sickles desired to interfere as little as possible with the state government,

and relied upon Governor Worth for advice in the settlement of many of the questions which soon arose. In pursuance of the reconstruction policy now adopted, the state was divided into eleven military sub-districts, and preparations were made for the registration of voters under the conditions of the reconstruction acts. On account of the test oath being required for all officers, this work was largely in the hands of Northern men and negroes. By military order negroes were also placed on the jury lists. In August General Sickles, who had become involved in a quarrel with the President on account of his famous "General Order No. 10," was removed from command and was succeeded by Gen. E. R. S. Canby.

Under General Canby registration was completed, the lists showing 106,721 whites and 72,932 negroes registered. Fraud in the registration was common, but nothing else was to be expected when the agency and plan are considered. The election was held for two days in November, and out of a total of 125,967 votes, 93,006 were cast for the call of a convention, only two counties, Orange and Currituck, giving majorities against it.

Constitutional Convention.

The convention met in Raleigh on Jan. 14, 1868. The Republicans had a majority of ninety-four, of whom sixteen were carpet-baggers and thirteen negroes. Calvin J. Cowles, who was disfranchised under the reconstruction acts, was elected president. The body was completely under the control of the "carpet-baggers," led by Gen. Joseph C. Abbott, David Heaton and Albion W. Tourgee. They were vigorously but ineffectually opposed by the thirteen Conservatives led by Plato Durham and John W. Graham. The convention was the most extravagant lawmaking body in the history of the state to that

time, and prepared the way for the reign of corruption and anarchy which followed. It remained in session until March 14, when it adjourned, submitting to the people a constitution which was a complete change from the former one. Universal manhood suffrage was, of course, the most revolutionary change. Among others was the abolition of the distinction between suits at law and suits in equity, the election of judges by the people for a short term; the abolition of any property qualification for holding any office, the creation of a number of new offices, the abolition of the county courts and the substitution of a new form of county government, and the extension of the terms of the state officers from two to four years. When submitted to the people, the constitution was ratified by a majority of over 19,000. At the same time the entire Republican state ticket, headed by William W. Holden, defeated the Conservative ticket, headed by Thomas S. Ashe. Holden's majority was 18,641. The Republicans also elected six of the seven members of Congress. Fraud was again common, and it is worthy of mention that General Canby set the example by excluding from participation in the election, in plain defiance of the constitution, all who had been temporarily disfranchised by the reconstruction acts.

Governor Worth was removed from office on June 30 and Governor Holden took the oath of office on July 4. He entered upon his duties full of hatred for his opponents and intensely ambitious for himself. In consequence of this he was, from the beginning, the tool of the carpet-baggers, and while everything points to the fact that he was personally innocent of any connection with the wholesale plundering that was going on, he was well aware of it and did nothing to check it, but lent the weight of his influence to the spoilers.

Legislature of 1868.

The legislature met July 1 with its membership politically distributed as follows: *Senate,* 38 Republicans, 12 Democrats; *House,* 80 Republicans, 40 Democrats. There were twelve carpet-baggers and nineteen negroes among the Republican members. John Pool and Joseph C. Abbot were elected to the United States Senate, and the Fourteenth amendment was immediately ratified. The body then turned to an occupation more immediately profitable to certain of the members. Guided and instructed by a ring dominated by Gen. Milton S. Littlefield and George W. Swepson, the latter a native, a reign of plunder and extravagance was entered upon. Within four months the issue of bonds was authorized to the extent of $25,350,000. About $12,000,000 were actually issued. The bonds were gambled away and otherwise fraudulently disposed of, and this, coupled with the fact that no interest was paid, soon rendered them worthless. Most of this amount was issued to aid in railroad construction, and not a mile of railroad was built in this way. The old debt of the state, principal and interest, already amounted to $16,000,000. The whole property of the state, as assessed, only amounted to $130,000,000. Taxes became confiscatory and, by 1870, land had fallen in value at least 50 per cent. from the value set in 1860. Economic ruin seemed imminent. Corruption was rampant, violence was increasing at a terrible rate, and the courts were so debased that the judges, even of the supreme court, took an active part in politics.

Ku Klux Klan in North Carolina.

For the purpose of protection, and also for political purposes, the Ku Klux Klan was soon organized in the state, and for a time was very active. Its

influence upon the minds of the negroes was particularly effective, and it was not without a salutary effect upon the whites against whom it was directed. In time, however, it degenerated as the membership increased, and many of its most influential members left it. It was particularly active in 1869, and apparently was dying out in 1870 when Governor Holden, realizing that the record of the Republican legislature was such as to make it extremely doubtful if the party could win success at the summer elections, conceived the idea of making political capital out of the Ku Klux and making use of means for the suppression of the Klan which, at the same time, would intimidate voters. Accordingly, under authority of the Shoffner act, he began to raise a force of state troops. In defiance of the law this was mainly composed of men from other states, chiefly from Tennessee, and was commanded by George W. Kirk, a Tennessee bushwhacker of the late war. The troops were then sent to Alamance and Caswell counties, which were declared in a state of insurrection on the strength of Ku Klux outrages that had occurred months before. A reign of terror followed, for the troops terrorized every community to which they were sent. Innocent men were arrested by the score and crowded into jail, and some even put to torture.

Among Holden's most bitter personal and political enemies was Josiah Turner, editor of the Raleigh *Sentinel,* the Democratic organ. By Holden's orders he was arrested at his home in Orange county, which county was not accused of being in insurrection. A writ of *habeas corpus* was sued out before Chief Justice Pearson, but both Holden and Kirk refused to obey the writ, and Judge Pearson declared that the power of the judiciary was exhausted. The matter looked hopeless, but Judge

Brooks, of the United States district court, upon application, issued the writ and prepared to use the force of the United States to support it. Governor Holden, after appealing, without success, to President Grant, gave up his attempt to overawe the people and released the prisoners. It became evident later that it had been his intention to turn them over for trial to a military commission dominated by Kirk, and what their fate would have been is not a matter for doubt. Kirk and his men fled the state to avoid the punishment that threatened them.

End of Reconstruction Period.

The election resulted in an overwhelming victory for the Democrats, and when the General Assembly met in December, Governor Holden was impeached and after conviction removed from office. Lieut.-Gov. Tod R. Caldwell succeeded him and, in 1872, was reëlected over Augustus S. Merrimon. The General Assembly remained Democratic. Governor Caldwell was a man of bitter prejudices, but was sternly honest. He died in office and was succeeded by Curtis H. Brogden. The carpet-baggers left the state in 1870, and from that time the affairs of the state were administered honestly and with great economy. Several attempts were made by the Democrats to secure the call of a constitutional convention, but they were unable to secure the necessary majority in the legislature, and when the question was submitted to the people it was defeated. Finally, in 1875, a convention was called which made several important changes in the constitution. The most important act was the repudiation of the fraudulent bonded debt of the state. Any payment of this debt must be approved by the people before taking place, and there is little likelihood that such approval will ever be secured. Other important

changes were mainly directed to the securing of total separation of the races.

In 1876 the Democrats determined to carry the state, and nominated Zebulon B. Vance for governor. He had finally had his political disabilities removed and was in the prime of his powers. He was opposed by Thomas Settle, who resigned from the supreme court to accept the Republican nomination. After the most exciting campaign in the history of the state, Vance was elected and the state carried for Tilden. It had given its electoral vote to Grant in 1868 and in 1872, but it now entered the ranks of the solid South, where it has remained ever since.

State Politics Since 1876.

In 1878 Governor Vance was elected to the United States Senate and, upon his acceptance, Lieut.-Gov. Thomas J. Jarvis became governor. He was elected governor in 1880 after a bitter contest for the nomination with Daniel G. Fowle. In 1884 Alfred M. Scales was elected, and in 1888 Daniel G. Fowle. Governor Fowle died in office and was succeeded by Thomas M. Holt. Elias Carr was elected in 1892. All of these were Democrats, and it seemed as if that party were firmly entrenched in power. But in 1894 the Republicans and Populists had a majority in both houses of the General Assembly, and in 1896 fused and elected Daniel L. Russell governor. By the fusion the Republicans were put in complete control of the state government, and there was a general fear in the state that the conditions of Reconstruction would return. The negroes became increasingly powerful in the party, and in the East there was an increasing danger of negro domination. In some counties the situation became unbearable, and in towns like Wilmington, New Bern and Greenville life and property were no longer safe. The

municipal governments were controlled by negroes, and magistrates and policemen were frequently colored. Taxation increased without any corresponding benefit, and the outlook was very dark.

When the campaign of 1898 came the Democrats took the issue which had been made for them and appealed to the state on the platform of "White Supremacy." An overwhelming victory was the result. Immediately after the election the people of Wilmington cast off the burden they were carrying by forcing the leading negroes and white Republicans to leave the city, and by electing a mayor and board of aldermen who were pledged to restore order.

When the General Assembly met, it prepared and submitted to the people a constitutional amendment imposing an educational qualification for voting, with a "grandfather clause" to protect the white illiterate voters. This exception expired in 1908. This amendment was the issue of the campaign of 1900, and the Democratic platform pledged the party to create a system of public schools which would give to every man the opportunity of an education. The amendment was adopted by a large majority, and Charles B. Aycock, the Democratic candidate, was elected governor. He was succeeded, in 1904, by Robert B. Glenn.

The effect of the amendment has been, thus far, to give the Democratic party the sure control of the state, but the removal of the negro from politics has had a distinctly liberalizing effect upon state politics, and is destined to cause great changes in the future. Political issues are slowly changing, and the leading questions between the parties in the future will be more of an economic nature than they have been since the War of Secession. There are many reasons to believe that there will be, in the

near future, an increasingly powerful body of independent voters that will, in time, make the state a doubtful one. In the period that has elapsed since the adoption of the amendment the negro has profited greatly by his removal from politics, and this fact is generally acknowledged even by the negroes themselves.

Prohibition.—One of the most interesting political movements since the war is prohibition. In 1881 the question of prohibition was submitted to the people and defeated by a vote of 48,370 to 166,325. Since that time there has been a steady growth of prohibition sentiment, and a development of "local option" by means of special legislation. In 1903, by the "Watts Law," the principle of local option was greatly extended, and the manufacture and sale of liquor was confined to incorporated towns. In 1905 a still greater advance was made by a law, later held valid by the supreme court, making the place of delivery the place of sale. Under this legislation 90 per cent. of the state became "dry." At the special session of the legislature, in 1908, the question of state prohibition was submitted to the people, and it was adopted by a majority of 43,000. The law went into effect in January, 1909.

Control of Railroads.—Another political question which has recently been greatly discussed is that of state control of the railroads. In 1891 the legislature established the railroad commission, later changed to the corporation commission, charged with the supervision of the railroads, the steamboat and canal companies, and the express, telegraph and telephone companies doing business in the state. It was made the duty of the commission to prevent extortionate rates, discrimination, the giving of rebates, and other similar abuses. In 1907 the legislature undertook the reduction of passenger rates

and provided a heavy fine as a penalty for refusal to obey the law. This was intended to discourage resistance. The railroads refused to obey the law, appealing to United States Circuit Judge Pritchard for an injunction against its enforcement on the ground that the legislation was confiscatory. Judge Pritchard granted a temporary injunction and appointed a commission to take testimony as to whether the rates were confiscatory before making the injunction permanent. Cases against the Southern Railway were brought in the state courts, and Governor Glenn declared his intention of supporting the state courts against Judge Pritchard. A serious crisis seemed imminent, when the railroads agreed to put the new rates into effect until a special session of the legislature could be called to consider a compromise which the railroads offered. The compromise was passed at the special session, and the question was settled, temporarily at least.

Chief Political Question.—The chief political issue since the war, apart from the race question, has been the efficiency and economy of administration. Both parties are now committed to education, the care of the insane and the proper care of Confederate soldiers.

Development of Governmental Activity.

Charities.—A noticeable fact in the story of the state since the war is the great increase in the activity of the state government in regard to things that tend to the building up of state prosperity. Some of these are worthy of discussion. Under the constitution of 1868 provision was made for a board of public charities. This still exists and is of increasing value and importance. The state now supports three hospitals for the insane—at Raleigh and Morganton for white patients, and at Goldboro for

colored. The two latter have been built since 1875. The state prison also has a department for the criminal insane. The four institutions combined accommodate nearly 2,000 patients. In Raleigh there is a school for the deaf and blind, and at Morganton one for the deaf and dumb. The state also makes annual appropriations for the soldiers' home and the Masonic and colored orphanages at Oxford. The total number of persons thus aided is about 4,000. The amount thus expended annually by the state is $436,000, and, in addition, special appropriations for improvement are made at every session, amounting, in 1907, to $51,200. All the institutions are admirably but economically managed and are among the chief glories of the state.

Agriculture.—From its beginnings the chief economic interest of the state has been agriculture, and, in consequence, the government, at a very early date, began a system of reports designed to assist the farmers in improving agricultural conditions. The constitution of 1868 first provided for an agricultural bureau under the secretary of state. The convention of 1875 amended this, and in 1877 the legislature organized the department of agriculture in its present form under the direction of a commissioner. An idea of its activity may be gained from the various divisions of the department. Among them are chemistry, bacteriology, veterinary, entomology, immigration and exhibits, and museum. Farmers' institutes are held under the auspices of the department in various parts of the state, and the subject of good roads is being presented to the people in a convincing way. The department has charge of the inspection of fertilizers, cotton-seed meal and commercial feeds. There is also pure food inspection. Bulletins are published monthly which

disseminate the results of the department's scientific activity.

Other Departments.—Other state departments which have been created in recent years are those of labor and statistics and insurance. The department of public instruction has been greatly enlarged and strengthened, and will be discussed under the head of *Educational Development.*

Before the war the state had a geologist, but as organized at present the North Carolina geological survey dates from 1891, and a most effective work has been done along this line.

The activity of the state has not been entirely concentrated upon material things. Largely through the labors of Col. William L. Saunders, for many years secretary of state, the publication of the valuable *Colonial Records* was made possible. This series was succeeded by one of *State Records*, edited by Chief Justice Walter Clark. These records have opened a mine of historical material which has greatly stimulated historical study and writing in the state. Recently the legislature has created an historical commission which has a paid secretary devoting his whole time to the collection and publication of historical material.

Educational Development.

Before the war the state of North Carolina was the foremost of the Southern states in public education. But by 1865 most of the endowment of the school system was swept away, and what remained was lost during Reconstruction. The Republicans, in 1868, elected Rev. S. S. Ashley, a carpet-bagger from Massachusetts, superintendent of public instruction. His administration of the office was costly and without any good results as far as public education was concerned, Mr. Ashley being

the chief beneficiary. He was succeeded by Alexander McIver, an honest man who was greatly handicapped by the prostration of the state and a lack of interest in the question. Stephen D. Pool was elected in 1875, but was forced out by his own party the next year. The following have filled the office since: John Pool, 1876-77; John C. Scarborough, 1877-85; S. M. Finger, 1885-93; John C. Scarborough, 1893-97; C. H. Mebane, 1897-1901; James Y. Joyner, 1902- —. There was little improvement in the system during the years preceding 1897. Up to that time the office of superintendent was a political one, and the various incumbents knew little of the practical question of public education, and it was not until Mr. Mebane came into office that a trained teacher assumed control and educational revival began. The campaigns of 1898 and 1900 forced upon the Democratic party a definite educational policy, and for the first time the schools began to receive anything that approached adequate support. An enthusiastic and persistent educational campaign has been carried on ever since with most gratifying results. The system, as a whole, is better organized, the schools better equipped and managed, and the teachers better paid and better trained. Public interest has been aroused and the state is definitely committed to public education of a sort hitherto unknown in North Carolina. The appropriations from the state are increasing and the amount raised by local taxation is growing rapidly. The following figures are interesting as an illustration of what is being done in the state in an educational way:

	Teachers	Enrollment	Houses	Value Houses
1901.....	6,050	331,358	7,314	$1,146,000
1907.....	10,146	483,927	7,513	3,637,680

Prior to 1904 about $50,000 per annum was raised by local taxation. Since that time the amount has increased as follows:

Period	Amount
1904–1905	$338,414.33
1905–1906	448,774.35
1906–1907	546,131.53
Total	$1,333,320.21

In the period from 1894 to 1901 the total disbursements amounted to $6,120,263.28. From 1901 to 1908 they amounted to $12,387,578.33. Over $5,000,000 of this was spent in the two years from 1906 to 1908.

The state also assists the University of North Carolina, the North Carolina Agricultural and Mechanical College, the Normal and Industrial College, the Agricultural and Mechanical College for the Colored, and a large number of smaller institutions. The annual appropriations for these amount to about $200,000. In addition special appropriations are made almost every year, amounting, in 1907, to $220,000. The value of the plants of these institutions is about $2,500,000; the combined teaching force numbers more than 300, and about 4,000 students are in attendance.

The various denominational schools and colleges have been keeping abreast of the new educational movement. Prominent among these are Wake Forest (Baptist), Trinity (Methodist), Davidson (Presbyterian), Guilford (Friends), and Elon (Christian), with 104 teachers and 1,500 students.

Economic Development.

Industrial Development.—At the outbreak of the war between the states, manufacturing had scarcely made a beginning in North Carolina. There were many establishments it is true, 3,689 in all, but they

were small and unimportant. Employment was thus given to 14,217 persons. The capital invested was $9,693,703 and the total value of the products was $16,678,698. Of the factories, 39 were devoted to the manufacture of cotton with a capital of $1,272,-750 and a product valued at $1,046,047. The total number of spindles was 41,884 and of looms 761. The state was distinctly agricultural, and manufacturing may be said to have been untried. There was no conception of the possibilities of the state either as regards water power or products.

The four years of war swept away all that had been done, and the financial prostration resulting from Reconstruction prevented any general development for a number of years. But with returning prosperity the needs of the state, coupled with the success of the pioneers who had dared the experiment, led to a period of industrial development which, although much has already been accomplished, has scarcely begun. As it is North Carolina has rapidly forged to the front among the Southern states in industrial development without losing her stride in agricultural development. The growth has not been marked in the number of factories but in their size and efficiency. The so-called manufacturing establishments of 1860 have been replaced by several hundred less, but the contrast is to be seen in the matter of capital, number of employees, and the value of product. In 1900 there were 3,465 establishments with a capital of $68,-283,000, employing 72,322 wage-earners. In 1905 there were 3,272 establishments, a decrease of 193, with a capital of $141,000,639, an increase in five years of 106.5 per cent., employing 85,339 persons. The amount paid for labor increased 52.1 per cent. and the value of the products rose from $85,270,830 to $142,520,776, an increase of 67 per cent.

The leading industries of the state in the order of their importance are cotton, tobacco, lumber, flour and mill products, furniture, cotton-seed oil and cake, lumber mill products, fertilizer, leather, hosiery and knit goods, foundry and machine-shop products, and railroad shop construction. These combined have 2,299 establishments with a capital of $128,359,043, and produce 89.9 per cent. of the total for the state.

The following figures in regard to cotton, the most important of these industries, gives an idea of what is being done at the present time as well as the growth of the industry in the state:

Year	Capital	Cost of Wages and Material	Value
1870.....	$1,030,900	$1,146,760	$1,345,052
1880.....	2,855,800	1,903,304	2,554,482
1890.....	10,775,134	7,715,834	9,563,443
1900.....	33,011,516	22,513,711	28,372,798
1905.....	57,413,418	40,528,852	47,254,054

The number of active spindles increased from 1,113,432, in 1900, to 2,604,444, in 1907, and the number of looms from 25,469, in 1900, to 43,219, in 1905. The state now stands third in cotton manufacture and second in the manufacture of tobacco. In the latter industry the value of the product, in 1905, was $28,087,969. Relatively the industrial development of the state is interesting. In 1890 it stood as the twenty-eighth in the United States, and in 1900 it had risen to the sixteenth place, which it also held in 1905.

Agricultural Development.—The mainstay of the state up to the period of industrial development was agriculture, and it cannot be said with any truth that agriculture has suffered with the increased industrial activity which has come to the state; rather has it benefited. The years of greatest industrial growth have been these in which agricul-

ture was most profitable. In 1900 there were in the state 224,637 farms valued at $194,655,920, and the value of agricultural products was $89,082,556. Since that time values have greatly increased both as to farms and products. While the gross value of manufactures greatly exceeds that of agricultural products, the net value of the latter is far larger, and it will be many years before North Carolina can be called anything but an agricultural state.

Of the staple products corn is the most valuable, with cotton second and tobacco third. Truck farming is estimated to bring in many millions annually and is increasing very rapidly. Improved methods are revolutionizing farming in the state and the diversity of products renders the future very bright. North Carolina now stands fourteenth in rank in the United States and third in the South.

One of the most hopeful things about the situation in the state is the increase in the number of farms. This is assisting in the settlement of the problem of labor, which, however, is still acute. To remedy this persistent efforts are being made by the state and by individuals and corporations to encourage immigration, and this is beginning to meet with some success. This is particularly so in the East near Wilmington, and the example set there will probably soon be followed in other portions of the state.

Other Factors in Economic Development.—The state is very rich in minerals, but so far they have not been fully developed. But the value of mineral products is increasing and in 1906 amounted to $3,062,847. Another source of wealth is the fisheries on the coast, which produced $1,739,661.

Wealth, Debt and Taxation.—The estimated true wealth of the state is over $1,000,000,000. The assessed valuation is $488,662,568. In 1860 the assessed valuation of all property was $358,739,795.

The population of the state is 2,086,912, compared to 992,667 in 1860, and the per capita wealth is thus $420, compared to $361 in 1860. The state debt is $6,873,450, and the town and county debt $8,593,180. The rate of taxation is very low, being only $0.52 per $100 of real valuation and $1.15 per $100 of assessed valuation. This is lower than in any other Southern state.

In this connection mention must be made of certain factors in production. The railroads of the state have been, in the main, in a prosperous condition. The state has abandoned any part in the management of the railroads in which it owns stock and has leased them out to corporations. The mileage in the state has increased from about 940, in 1860, to 4,196 at the present time. Active construction is still going on, and the steady development of the state leads to the belief that the era of construction is not nearing an end.

The banking business of the state is on a firm foundation, as was evidenced by their bearing the panic of 1907 with apparently little difficulty. There are now 297 state banks with a capital of $7,421,373, and sixty-seven National banks with a capital of $6,535,000.

Other corporations such as insurance companies, both life and fire, and building and loan associations are very numerous and apparently very prosperous.

In the foregoing pages much has been said of the material development of the state within a certain period. It is a wonderful story of success against great odds, the story of a grim determination to succeed in the rehabilitation of the state. It has been the custom in the South in the past to speak much of the glories of the ante-bellum South, and to compare the present to it in a most unfavorable way. The time for that has passed. Viewed from a ma-

terial or from an intellectual standpoint, North Carolina of to-day has surpassed the North Carolina of 1860. And the struggle for survival has produced a new type of citizenship superior to the old, if less productive of men who stood head and shoulders above their fellows. To-day is the era of the business man, calm, conservative and clear-headed, who carries into all the relations of life the same activity and determination which have rescued the state from the degradation of Reconstruction and the despair of economic prostration. The door of opportunity stands open to-day to every man as never before, and never did merit and personal worth so count in the struggle for success. For many years North Carolina was likened to Rip Van Winkle, and with good cause. But with awakening has come a giant's strength, which is being employed in the creation of a new life and a new civilization.

Bibliography.—Appleton: *Annual Cyclopædia* (1861–1902); Hamilton: *Reconstruction in North Carolina* (Raleigh, 1906); *Laws of North Carolina* (1865–1907); *Legislative Documents of North Carolina* (1865–1907); *United States Census Reports* (1860–1905).

Joseph Gregoire de Roulhac Hamilton,
Alumni Professor of History, University of North Carolina.

University of California
SOUTHERN REGIONAL LIBRARY FACILITY
305 De Neve Drive - Parking Lot 17 • Box 951388
LOS ANGELES, CALIFORNIA 90095-1388
Return this material to the library from which it was borrowed.

UC SOUTHERN REGIONAL LIBRARY FACILITY
A 000 281 002 6